

CIRCUMSTANTIAL DETAILS

OF THE

Long Illness and last Moment

OF THE RIGHT HON.

CHARLES JAMES FOX.

TOGETHER WITH

STRICTURES

ON

HIS PUBLIC AND PRIVATE LIFE.

DEDICATED TO THE RIGHT HON.

LORD MORPETH.

THE THIRD EDITION.

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ADVERTISEMENT.

THAT the reader may not expect from the following sheets what the author never intended, it may be necessary previously to inform him, that the contents of these pages are expressed with precision in the title. It is a *circumstantial detail of the long illness and last moments of a Statesman*, whose sentiments and sufferings cannot but awaken general interest. The public life of Mr. Fox belongs to more important works. Of his private life we have given detached sketches, which will facilitate the knowledge of his character.

It was the advice of one who had an unusual insight into human character, not to judge of a man till he was dying or dead. Let me see him in his hour of pain, when the soul is in its state of contest, and I see and know the man.

In the following pages, the reader will see Mr. Fox in this point of view. Let him form his conclusion; we wish not to bias him.

TO

THE RIGHT HON.

LORD MORPETH.

MY LORD,

THE subject of the following sheets, unhappily but too near the heart of your Lordship, redeems even an unauthorized dedication from the necessity of excuse. If your Lordship felt less, it might be necessary for me to say more.

The purpose of these pages, my Lord, is to give the public a faithful detail of the last moments of your friend—your instructor. I had almost added, my Lord, of your father. If, in the ordinary sense of that sacred word, the peerage would not here bear me out, I would make my appeal to the Roman philosopher.—

“ Si

“ cet, et non qui ambulat, dormit et edit,
“ pater ille verus est, qui animum format et
“ instruit ad virtutem et sapientiam.”

It was, indeed, the peculiar praise of Mr. Fox, that he took peculiar delight in those acts which united public and private good. He communicated what he had learned with as much avidity, as that with which he had learned it. In this sense of the word, he had the spirit of proselytism. What Dryden says of the libertinism of Charles the Second, with a kind of courtly irony, that he took a peculiar delight

“ To multiply his image through the land.”

Was true in a better sense of Mr. Fox. Perhaps no statesman has ever formed more young men. He was never weary of this patriotic benevolence : he had learned it of Mr. Burke.

If

If any one should here object that Mr. Fox may have had private and less generous motives in this exercise of his friendship, your Lordship may vindicate him. Your ample fortune—your noble alliance—your peculiar felicity and moderation of temper—induced you at a very early period, to make your election, and to shun the troubled deep of power and place. Yet to whom has Mr. Fox been a more attentive instructor? Who has been a more beloved pupil than one from whose active co-operation he had to hope nothing.

I have nothing to add but to acknowledge myself,

Your Lordship's obedient,

Humble Servant,

THE AUTHOR.

CIRCUMSTANTIAL DETAILS,

&c. &c. &c.

NO life has confessedly been more active than that of Mr. Fox. Whatever may be the difference of opinion as to the character of his politics, as to his views, and their probable event—there can be but one sentiment as to the occupation of his life. Every one must unite in opinion, that his life has passed in no ordinary manner. That Mr. Fox was not one of those men who are born *fruges consumere*, to spend their estates, and go out of the world with as little consequence as they came in. Mr. Fox was not one of these

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cyphers—

cyphers—he had not as yet attained those limits, at which the laws of the land, forming their estimate according to the ordinary course of the human mind, permits the power of action, when he became at once an actor on the public stage, and entered at the same moment into manhood and the public service. It was the custom amongst our barbarous ancestors, in common with the ancient Germans, to hold solemn assemblies for the admission and enrolment of their youths into the class of men; at which assemblies, such as had attained the suitable age, presented themselves, when a spear and shield was put into their hands, and they were thus, in the same moment, enrolled into manhood, and the service of their country. It was the same with Mr. Fox. He took the spear and shield, and stood forth, almost in the same moment, a man and a legislator. If the life of such a character cannot be indifferent, surely the death—the last glow of the embers of expiring life, cannot but equally interest. If there is a moment in which the natural generosity of

of the human mind more tenderly loves its friends, and forgets every thing in its sympathy even for its enemies, it is that in which all their power of good or harm must be alike extinguished in the grave. There is something peculiarly sacred in this word,—it animates love, deadens enmity ; and, calling the mind to consider the common lot of all, exalts it above the transitory passions of the day.

It is by such feelings that we have been actuated in the following pages. We have hence concluded, that even the slight circumstances here related could not but be grateful to the public, as in many respects rendering a public character more known, and correcting errors which malice had spread, and ignorance incautiously adopted. The friends of Mr. Fox will here learn, that he died as he lived, with magnanimity and confidence.

The adversaries of Mr. Fox will be com-

elled to acknowledge one important truth, that Mr. Fox loved his country, and thought anxiously upon its interest in his last moments.

These are the limits and purpose of the following short narrative: many of the friends of Mr. Fox were unhappily remote from him in the last part of his mortal career. Many, though exhorted to hasten up, if they had any desire to see their friend once more, flattered themselves that the danger was less imminent, and that the delay of a few days was immaterial. Some of these arrived in the actual moment of his death. It will be readily conceived that the daily detail of the progress of Mr. Fox, could not but be matter of the most lively interest to these gentlemen. The writer of these pages, as in some degree connected with the person of Mr. Fox, was known to most of his more immediate friends; he was moreover on the spot, and as such was requested by many of these gentlemen

gentlemen to write by every post the course and progress of the disease. It will be seen that he very early expected, what to the public misfortune has now occurred. This expectation induced him to keep copies of one or more of his several letters. From these copies is the detail now before the public compiled.

He hopes that it will not be objected to him that what he has related as spoken by Mr. Fox, was private, and should not have been published by a casual hearer—he has only to reply, that he is not aware of any consequences which the publication can have. What he has communicated relates to subjects assuredly harmless, though from the importance of their object, necessarily interesting.

My personal knowledge of Mr. Fox commenced about seven years since, a period of his life in which he was seen to most advantage. Domestic circumstances threw me at
that

that time, into his immediate neighbourhood. As I had not there obtained that success in my profession, to which I flatter myself my industry and long study under a master, certainly not the least celebrated, had in some degree led me to expect, I had become almost weary of it, and turned my thoughts to a very different and more attractive pursuit—dramatic literature.

This was the circumstance that introduced me to Mr. Fox. This eminent statesman resided at that period at St. Anne's Hill, Chertsey ; from which no invitations of his friends could tempt him to any long absence.—My house was about two miles from St. Anne's. In my walks I daily and almost hourly met Mr. Fox. Between Staines and Chertsey is the village of Laleham ; from St. Anne's Hill to this village is a delightful walk, by a path across the fields. Mr. Fox was almost daily in this walk. I knew therefore where to meet him, and it was some satisfaction

tisfaction to gain even a passing glance at a man of Mr. Fox's reputation.

I had scarcely finished my first drama, before I began to doubt that I had mistaken my talent, and, in disgust of my profession, adopted a kind of laborious idleness, which would be less profitable to me than even my own narrow business. I thought my drama somewhat too *sombre* for a comedy. I wished much for the opinion of a good critic—To whom should I apply—I knew no one—The reader will smile—I sent my drama to a celebrated physician now deceased; the worthy patron of my earlier years.—I was not satisfied with the opinion of this excellent man—He gave it as his decided sentiment, that my drama was too grave, and would not be tolerated—A sudden thought suggested itself, and I sent it to Mr. Fox, who at that time was unacquainted even with my name.

I am the more particular in these circumstances,

stances, as they bear a reference to the private life of Mr. Fox, and throw some light on his character, as a man and a gentleman. It is from these circumstances, circumstances in the privacy of domestic life, circumstances which were never intended, and never expected to meet the public view —that character must be inferred; the decorum of life and manners requires some restraint, some dress and preparation, all which disguise the man, and veil him from the eye. In these smaller circumstances of private life, there is no disguise, no masque, the mind acts from impulse, and shews itself in its natural features.

I give the letter which accompanied my drama, as necessary to explain the transaction.

To the Hon. Charles James Fox.

SIR,

I KNOW not how to excuse the trouble of the present application, except

cept by imputing it to its true cause—a confidence in your goodness, and general sympathy in the interest of others.

The Drama which accompanies this, is written by a man who is unused to the drama, but from long habit and education, has a passionate attachment to letters in general. May I presume, Sir, to request your perusal—may I advance one step farther, and humbly solicit your opinion.

I am, Sir,

With profound respect,

Your devoted humble servant,

I accordingly sent my drama, accompanied with this letter, to Mr. Fox, to St. Anne's Hill. In the course of the afternoon I received an answer by one of Mrs. Armed's servants. "Mr. Fox's compliments to Mr. ——, and in his present leisure has to thank Mr. —— for the perusal of his drama."

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This note needs no comment. The delicate benevolence by which an "almost inexcusable liberty on my part was converted into a favour, as furnishing him with occupation in his present leisure, exhibits at once an image of the man both in disposition and manners.

Mr. Fox accordingly read my drama, and according to the usual candour of his character, gave me his opinion ; which, as nearly as I can now recal to my memory, was, that he saw proofs of such ability in it, that he recommended me to throw it into the fire in revenge for its having occupied so much time. I literally took his advice, and by his desire gave up all thoughts of the drama.

From this day I enjoyed the acquaintance of Mr. Fox ; and I believe it has been my own fault, that in point of pecuniary affairs it has not turned out more to my advantage. Thus far I think it necessary to add, that

that Mr. Fox, some years since, often anxiously inquired into the state of my affairs, and more than once offered me a loan of some amount. Mr. Fox at that time lived almost solitarily. I have been at St. Anne's Hill day after day without seeing the arrival of a single visitor; I had almost forgotten here to except the late Duke of Bedford, and his brothers, who seldom missed a day, one or the other of that noble family making it a point of duty to make these daily visits.

The limits of these pages will not admit me to enter into the public life of Mr. Fox, but I will here and there correct some misrepresentations, and add some particulars, which may not be uninteresting to his friends and the public.

No part of the life of Mr. Fox has been so much a subject of misrepresentation as the period of his separation from Mr. Burke. I can take upon myself to say, that Mr. Fox

felt this to the last day of his life. Mr. Fox, both before and after the public declaration of Mr. Burke's resolution, spared no efforts, and scarcely any submissions to effect a reconciliation, but Mr. Burke constantly replied —“Will he pronounce the renunciation?” This referred to a most singular paper, drawn up by Mr. Burke, and containing a formal renunciation of the principles of the French revolution, with a promise that he would never again propose a reform in Parliament, or the abolition of the Test. This paper Mr. Burke insisted that Mr. Fox should make a part of his speech in a full House. Mr. Burke was moreover under some pretext to procure a call of the House, that nothing might be wanting to the impossibility “of future apostacy.”

Mr. Fox could of course not submit to this indignity ; but though the mutual friends of both continued to interpose ; though the late excellent Dutchesse of Devonshire followed

followed Mr. Burke as his shadow with this benevolent purpose ; though Mr. Windham, the favourite, and almost adopted son of Mr. Burke, was here said to have united his efforts ; all was in vain, Mr. Burke was inflexible. To one of these applications he replied in these words :

“ My separation from Mr. Fox is a principle and not a passion ; I hold it as a sacred duty to confirm what I have said and written, by this sacrifice ; and to what purpose would be the re-union of a moment ; I can have no delight with him, nor he with me.”

Mr. Burke accordingly adhered to his purpose. This great man, indeed, carried every thing to excess. It is not generally known that he entertained the most passionate abhorrence of Mr. Sheridan. It would be indecorous to repeat what he has said of this gentleman. Suffice it to say, that for the ten latter years of his life he made it an invincible

riable rule to leave not the apartment—but even the town, when he heard that Mr. Sheridan had entered it.

To the late Duke of Bedford Mr. Burke was, perhaps, equally hostile. He once said of him in a public company, that he gave the lie to the line of Pope—That an honest man was the noblest work of Heaven. “There is the Duke of Bedford,” said he, “who is honest as a Duke, and what is perhaps more, would be honest even as a labouring thresher, yet is he a man without religion—without one dignified sentiment. He purchased the chateaus and forfeited lands of the nobility in France, and then supported revolutionary principles at home. He is thought an exemplary man, because he is of an even temper, which has not substance enough to be ruffled; and you call him a patriot, because, having that cunning which understands and pursues his own interest, he pulls down the house in which he was born ; ploughs up the garden

in which the spirit of his father still flitted, that he might improve his fortune by building streets."

These conversations and remarks of Mr. Burke were invariably reported, or transmitted to Mr. Fox ; but so permanent was his attachment to Mr. Burke, that nothing could eradicate it. The friends of Mr. Fox knew this so well, that with the exception of Mr. Sheridan they spoke of Mr. Burke at St. Anne's with temper and respect. One gentleman, I cannot now recal his name, said, in the presence of Mr. Fox, there being a private dinner party at St. Anne's—that Mr. Burke was a sophist, and would be thought nothing of but for his dazzling eloquence. Mr. Fox immediately replied, that he thought very differently. "The eloquence of Mr. Burke," said he, "rather injures his reputation; it is a veil over his wisdom : remove his eloquence, reduce his language, and withdraw his images, and you will find that he was more wise than he was eloquent ; you will have

your

your full weight of the metal, though you should melt down the chasing."

Lord Holland, I believe, was present at this conversation, and going out of the room, brought in one of Mr. Burke's pamphlets, and asked Mr. Fox to produce a passage which justified this remark. Mr. Fox turned over a few pages, and then taking a pen, scratched out a few words, and substituted others. I do not now remember the passage. He read it, however, and every one assented to the justice of his observation.

I do not wish to trespass upon what may be thought confidential, and therefore, for the most part, will avoid living characters; his opinion, however, of one or two, I will venture not to pass over.

The conversation at St. Anne's once turned upon Mr. Windham. Mr. Adair was present, and I believe introduced it by * * * *, Mr. Fox said, "That Mr. Windham was indeed

indeed a very singular character ; that he was almost the only man whom he had ever known who was a thinking man without being a grave man—(he explained this word grave by the Latin term *vir gravis et constans*) ; a meditating man, with so much activity ; and a reading man, with so much practical knowledge. He is so absent that Sheridan once betted that he would introduce the Duchess of Devonshire to him, and say, I met Mrs. Windham by the way, Sir, and took a seat in her carriage home, and Mr. Windham would not know the difference. Mr. Sheridan's bet was not taken, or I am persuaded that he would have won it. I once saw him stir the fire, and take the poker out of the room at St. James's."

Even during the period of separation of Mr. Fox and Windham, the former always spoke of the latter in the same manner.—He sometimes indeed lamented, when he heard that Mr. Windham was uninterruptedly at Beaconsfield. The attachment of

this gentleman to Mr. Burke was indeed ardent, and the latter re-paid it with the same warmth. It is indeed not difficult to conceive that these two great men should be thus united.

During this period, that is to say, between his first separation from Mr. Burke, to the death of that venerable man, Mr. Fox was daily pestered with the most insulting letters, with the signature of “An Elector of Westminster.” There was no remedy for this vexation. Mr. Fox upon receiving the letters, would throw them on the table—“there, are another score of electors.” He would then open them, and look at the subscription; if he saw the word Elector—“Here’s more paper for the cook,” said he, and throwing it on the ground, proceeded in the same manner with all the others. “Lord North,” said he, “read every thing that was written against him, and rewarded those who wrote wittily; I cannot imitate him, for I could wish to believe that I have no enemies.”

Mr.

Mr. Fox particularly excelled in giving the characters of those with whom he had lived and acted; he used to say, Lord N—— was sensible only to one argument, and that was drawn from domestic life; Lady North possessed him under the most passive obedience. A trick was once played him by Colonel Barre, during the debates on the American War; the Colonel had a valet, who possessed a surprising dexterity in the imitation of hands. The opposition were eager to defer a debate, which the ministry were as anxious to bring on. The House had accordingly met, and Lord North was on the Treasury Bench, when a note was put in his hand. The debate was immediately deferred upon some pretext, which is never wanting to a Minister. The contents of the note were merely,

MY LORD,

I MUST beg you to make a point of being home at five o'clock, as I expect my mother to dinner.

The hand-writing of Lady North was so well imitated, that Lord North was effectually deceived, and the opposition carried their point.

Mr. Fox has repeatedly said, that he never saw Lord North out of temper but once, and that was, when a gentleman of some importance in his party demanded of him in the first place an appointment for himself, which was readily granted. There is still another favour, said the gentleman, that I have to ask of your Lordship, the appointment of ——. Why, you are mad surely, said Lord North. Is it necessary to inform you, that that place must be held by a woman? Well, my Lord, replied the gentleman, I want it for my wife; what your Lordship has been pleased to give me is a liberal provision for myself, but if I have to make out of it any allowance for my wife and seven children—Allowance to your wife and children, Sir! what, don't you live with them, then? said Lord North. No, said the other,

smiling,

smiling, surely your Lodship knew that I live with Fanny D——. Indeed, Sir, I knew no such thing, replied Lord North, and I must beg you to permit our acquaintance to drop here. I regret that, having passed my word for the appointment, it is past recall. Lord North here opened the door, and continued bowing till the gentleman had left the room, and never admitted him into his house afterwards.

It always appeared to me that Mr. Fox had a very lively regard for Lord North, as he never mentioned him but in a strain of eulogy. He said that he was the most accomplished wit he had ever known; and in domestic life, in the circle of friends and followers, when collected at his table, had all the candour of Walpole without the grossness. He appeared as if he never felt an insult, so immediately did he forgive it. His face was very plain, and, his features coarse, but his smile was heavenly. You could not see him without becoming attached

tached to him. He left all his cares and arts in the House of Commons, and was no longer a Minister than whilst on the Treasury Bench.

Mr. Fox received the first intelligence of the last illness of Mr. Burke in a letter from Lord Fitzwilliam. Mr. Fox was sensibly affected. When he afterwards learned that it must necessarily terminate fatally, he was agitated as with the expectation of a great calamity; in this state of mind he wrote to Mrs. Burke, expressing his intention of *passing through* Beaconsfield; to this letter he received by an express the day following the answer which follows:

“ Mrs. Burke’s compliments to Mr. Fox, and thanks him for his obliging inquiries. Mrs. Burke communicated his letter to Mr. Burke, and by his desire has to inform Mr. Fox, that it has cost Mr. Burke the most heartfelt pain to obey the stern voice of his duty in rending asunder a long friendship,
but

but that he had effected this necessary sacrifice ; that his principles remained the same ; and that in whatever of life yet remained to him, he conceives that he must continue to live for others, and not for himself. Mr. Burke is convinced that the principles which he has endeavoured to maintain, are necessary to the good and dignity of his country, and that these principles can be enforced only by the general persuasion of his sincerity. For herself, Mrs. Burke has again to express her gratitude to Mr. Fox for his anxious inquiries."

Thus terminated for ever the connection of Mr. Burke and Mr. Fox. Mr. Fox wept bitterly when he learned the death of this venerable man.

He continued to preserve during his life his early veneration for this great man.—When Lord Lauderdale once said in his presence, that Mr. Burke was a splendid madman, Mr. Fox said, "it was difficult to

say whether he was mad or inspired ; whether one or the other, every one must agree that he is a prophet." Is he not an enemy to the liberty of mankind ? There is the point in dispute, said Mr. Fox ; I know that he loves mankind, and has no limits to his be-

Mr. Fox entertained a very high regard for Lord Stanhope, till it was entirely done away by an incident which it is not within the purpose of these pages to mention. He used to say of him, that had he applied his talents to finance, he would have been the first financier in Europe.

The character of a man is best collected from his domestic life. I had at this period an opportunity of seeing him every day, and seldom neglected it ; there was much uniformity in his life ; he was a very early riser. On the western extremity of St. Anne's Hill is a solitary beech-tree growing on a narrow platform, elevated above the general surface
of

of the Hill. From this point is a most extensive view of the Vale of the Thames from Chertsey to Windsor. This was a favourite spot with Mr. Fox; he had caused a seat to be made around the tree. This was his walk before breakfast.

He was so attached to study, that he had formed to himself a certain daily plan, to which he adhered so inflexibly, that he was sometimes even impatient when necessarily interrupted. I cannot give the particulars of this plan, though from the frequent recurrence of many parts of it, I can assert that he had formed one, and adhered to it rigidly. An hour before his breakfast he always dedicated to one study, the acquisition of a new language, or the recollection of one in some degree obliterated; he was learning Spanish at the time of which I am speaking. His method of learning a language was very singular; after one week's labour at his grammar, getting by memory the declinable parts, the verbs, substantives, and adjectives,

he proceeded immediately to some classic author of the language, and he laboured at his dictionary till he had read him. The syntax he learned by reference as the examples occurred.

After his breakfast he usually read till two o'clock: his reading was in a certain method; he was reading the history of the latter empire, and comparing Gibbon with the writers whom he has quoted as his authorities. He used to say of this author and Hume, that the one so loved a king, and the other so hated a priest, that they were neither of them to be depended upon, where either a priest or a king was concerned. Gibbon, said he, moreover, has quoted many books as authority of which he had only read the preface. He produced a singular instance of this, where Gibbon has quoted a passage as being in the third book of a writer whose work is divided into two books only. Gibbon was led into this error by the transcriber of the preface of the book

book quoted, who, in transcribing the passage, has made the same error.

Mr. Fox disliked the florid stile and verbiage of Gibbon as much as he approved his historic concentration. He thinks like Tacitus, said he, and writes like Curtius. In many parts of the Gibbon, which he used, he had obliterated the unnecessary words with a pen ; this was a practice very frequent with him. His Gibbon would be curious and interesting to the public. I believe it is in the possession of Lord Lauderdale.

Mr. Fox's bookseller sent Godwin's Political Justice to him ; Mr. Fox read about half a dozen pages in the middle of the book ; his practice with regard to modern books before he gave them a reading. Godwin did not suit him ; he did what he had seldom done before, returned it to his bookseller.

Adam Smith was likewise a favourite elemental book ; but he used to observe of him, that he was tedious, formal beyond the necessity of his work, and too fond of deduction where there was nothing to deduce ; he proves where no one can doubt ; and enters upon a chain of reasoning to produce a most unmeaning result. He used to say, that however close and dry he had written, one half of his book might be omitted with much benefit to the subject. He spoke with contempt of the works of Turgot. He said that the French had not liberty enough to understand finance and political economy. He spoke with respect of Henry's History of England, but often expressed his surprise at Belsham's George the Third—“ That a man with his eyes open would write in this manner !” said he.

Mr. Fox was not a modern philosopher : however singular, he held them in hearty contempt ; a contempt most significantly expressed by never reading their works. Mr. Fox

Fox was not an infidel, but he had his own religion. He once said of Dunning, that he was the most profligate Christian, and Christian profligate, that had ever lived. Dunning used to say, that no such written evidence of acts so remote existed as the Four Gospels ; that they would be good evidence in a court of justice, and before a common jury. When the difference of the narrative of the same events was objected, Mr. Dunning said, let two persons relate the circumstances of the battle of Minden, one just coming from the battle, and one who was equally present at the battle, and related it ten years afterwards, and reconcile them if you can. Mr. Fox said that Dunning had the strongest head of any lawyer within his memory.

It was at this period that Mr. Fox received an admonitory letter from one of the most celebrated men in England. The subject of this letter was very singular. The letter was very long ; I should think that it will be published. Mr. Fox returned rather a short and laconic

Iaconic answer—“ It is written with sincerity and good meaning,” said he.

Mr. Fox said that he had to reproach — with nothing but his want of sincerity. He had insinuated, and carefully cultivated in the mind of the King, a suspicion of Mr. Fox, and then produced this aversion of his Majesty, as the cause of his conduct.— Mr. Fox, however, we have reason to believe, was here unjust. It is certain, that the King at one time had a most decided aversion even to the person of Mr. Fox.

Mr. Fox had every paper morning and evening ; the Chronicle, of course, was his favourite. I cannot say that he ever wrote any thing in this journal, though I have occasionally read his very words, and frequently thought that I could recognise his stile.

The morning passed away in this manner. Mr. Fox usually walked to Chertsey, and thence to Laleham, across the fields, and when

when weary, returned to dinner. There was very seldom any company. The Duke of Bedford was sometimes at table, but most frequently no one but Mr. Fox and Mrs. Armsted. The dinner was invariably very simple, that of a private country gentleman. I do not think that Mr. Fox lived at the expence of seven hundred *per annum*. Wine indeed cost him nothing, as at the earnest request of one of his ardent admirers, a wine merchant, he permitted him to supply his table, and the merchant could never be persuaded to produce his bill.

Mr. Fox enjoyed his tea, by his own confession, more than his breakfast or dinner.— A novel was invariably on his tea-table; sometimes Mrs. Armsted read, sometimes the Duke of Bedford, and sometimes Mr. Fox. I was present when Camilla arrived from London ; Mr. Fox was at dinner, and was eager to begin the book immediately ; Mrs. Armsted took it from him, laughing, and said that he must be regular, and wait till tea.—

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The books were accordingly given to a servant, and ordered to the tea-room. The wished-for moment arrived, Mrs. Armsted commenced: it was pleasing to see the interest with which Mr. Fox heard this work. He would here and there, however, say, “That’s a vile word—that’s used in the wrong sense—that’s an ungraceful imitation of Dr. Johnson.”

In this manner passed away day after day in tranquil retirement. I have reason to believe that Mr. Fox wrote very little, and can almost take upon me to assert, that his history of the Revolution, as it has been called, existed only in idea. Mr. Fox certainly said that no reign was so unsatisfactorily written as that of William the Third. But I do not believe that he ever entertained any intention of writing it himself.

Mr. Fox did not retire to his bed till a very late hour. In summer he walked much in the evening. He bathed daily, plunged at once into

into the river, and remained for a very short time!— He was an excellent swimmer, and bathing from a schoolboy was his delight.

Mr. Fox had a kind of singular taste for music ; in this alone he was totally without judgment. Old tunes were such as alone pleased him. He said that no Opera was equal to Inkle and Yarico. Some one happening to mention the Beggar's Opera, he said, certainly, I will except that. The Beggar's Opera is the wittiest drama on the stage : the wit is simple, intelligible, and appeals alike to every one.

Mr. Fox said that Mr. Burke had once written a tragedy, and that he had seen two or three speeches. The imagery was in the character of Mr. Burke, splendid and just, but the structure of the versification was heavy, and the diction rather rhetorical than poetical. Mr. Fox asked Mr. Burke whether Garrick had ever seen it? Mr. Burke

said, “ No,—that he had the folly indeed to write it, but the wit to keep it to himself.”

The intimate connexion between Mr. Fox and the late Marquis of Lansdown, was only within about two years of the death of that nobleman. The late Marquis then sedulously cultivated the acquaintance of Mr. Fox. Previous to this period, notwithstanding their seeming concurrence, there was something of distance between them. The Marquis had some jealousy of Mr. Fox, and Mr. Fox had certainly not the best opinion of the sincerity of the Marquis. The late Marquis of Lansdown was indeed any thing but an amiable character. Let it be here observed, that we do not speak of him in a moral point of view; but as he was in domestic life. He was a most singular mixture of the courtier and the philosopher: of the dilettanti and statesman. With great pride he was occasionally as familiar, and ostentatiously condescending, as a French *petit maitre*; and at other times he was not to be seen for days together. He was

alternately

alternately an oracle and a punchinello. He purchased books which he never read, and lived only to execute a design which he never began: he was any thing but a great man. We speak not this to offend, but to correct a prevalent error.

As to Lord Henry Petty, he has nothing of his father but his formality; he has much industry, sufficient gravity, and a clear and solid judgment; but somewhat too much pomposity, elevating little things into importance: he will doubtless improve, as he is not without the principles of excellence. Mr. Fox was much attached to him as a pupil.

Mr. Fox held an opinion of Bonaparte, in which not many will agree with him. I here speak with regret. Mr. Burke, speaking of the French revolution, said that it had not only shaken all Europe, but almost every man individually; that it had shaken Mr. Fox till it had shaken his heart in the wrong place.—Perhaps this was somewhat too severe, but

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general flattery had even elevated Mr. Fox from his self-recollection ; but Mr. Fox took it all in good part, and valued it at its real worth. He visited every one to whom he was invited, and as he was invited every where, his circle of acquaintance was very extensive. He has since frequently mentioned with much satisfaction the opportunity he thus possessed of seeing and studying many of the most eminent characters of the revolution.

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say whether he was mad or inspired ; whether one or the other, every one must agree that he is a prophet." Is he not an enemy to the liberty of mankind ? There is the point in dispute, said Mr. Fox ; I know that he loves mankind, and has no limits to his benevolence.

Mr. Fox entertained a very high regard for Lord Stanhope, till it was entirely done away by an incident which it is not within the purpose of these pages to mention. He used to say of him, that had he applied his talents to finance, he would have been the first financier in Europe.

The character of a man is best collected from his domestic life. I had at this period an opportunity of seeing him every day, and seldom neglected it ; there was much uniformity in his life ; he was a very early riser. On the western extremity of St. Anne's Hill is a solitary beech-tree growing on a narrow platform, elevated above the general surface
of

of the Hill. From this point is a most extensive view of the Vale of the Thames from Chertsey to Windsor. This was a favourite spot with Mr. Fox; he had caused a seat to be made around the tree. This was his walk before breakfast.

He was so attached to study, that he had formed to himself a certain daily plan, to which he adhered so inflexibly, that he was sometimes even impatient when necessarily interrupted. I cannot give the particulars of this plan, though from the frequent recurrence of many parts of it, I can assert that he had formed one, and adhered to it rigidly. An hour before his breakfast he always dedicated to one study, the acquisition of a new language, or the recollection of one in some degree obliterated; he was learning Spanish at the time of which I am speaking. His method of learning a language was very singular; after one week's labour at his grammar, getting by memory the declinable parts, the verbs, substantives, and adjectives,

he proceeded immediately to some classic author of the language, and he laboured at his dictionary till he had read him. The syntax he learned by reference as the examples occurred.

After his breakfast he usually read till two o'clock: his reading was in a certain method; he was reading the history of the latter empire, and comparing Gibbon with the writers whom he has quoted as his authorities. He used to say of this author and Hume, that the one so loved a king, and the other so hated a priest, that they were neither of them to be depended upon, where either a priest or a king was concerned. Gibbon, said he, moreover, has quoted many books as authority of which he had only read the preface. He produced a singular instance of this, where Gibbon has quoted a passage as being in the third book of a writer whose work is divided into two books only. Gibbon was led into this error by the transcriber of the preface of the book

book quoted, who, in transcribing the passage, has made the same error.

Mr. Fox disliked the florid stile and verbiage of Gibbon as much as he approved his historic concentration. He thinks like Tacitus, said he, and writes like Curtius. In many parts of the Gibbon, which he used, he had obliterated the unnecessary words with a pen ; this was a practice very frequent with him. His Gibbon would be curious and interesting to the public. I believe it is in the possession of Lord Lauderdale.

Mr. Fox's bookseller sent Godwin's Political Justice to him ; Mr. Fox read about half a dozen pages in the middle of the book ; his practice with regard to modern books before he gave them a reading. Godwin did not suit him ; he did what he had seldom done before, returned it to his bookseller.

Adam Smith was likewise a favourite elemental book ; but he used to observe of him, that he was tedious, formal beyond the necessity of his work, and too fond of deduction where there was nothing to deduce ; he proves where no one can doubt ; and enters upon a chain of reasoning to produce a most unmeaning result. He used to say, that however close and dry he had written, one half of his book might be omitted with much benefit to the subject. He spoke with contempt of the works of Turgot. He said that the French had not liberty enough to understand finance and political economy. He spoke with respect of Henry's History of England, but often expressed his surprise at Belsham's George the Third—" That a man with his eyes open would write in this manner!" said he.

Mr. Fox was not a modern philosopher; however singular, he held them in hearty contempt ; a contempt most significantly expressed by never reading their works. Mr. Fox

Fox was not an infidel, but he had his own religion. He once said of Dunning, that he was the most profligate Christian, and Christian profligate, that had ever lived. Dunning used to say, that no such written evidence of acts so remote existed as the Four Gospels; that they would be good evidence in a court of justice, and before a common jury. When the difference of the narrative of the same events was objected, Mr. Dunning said, let two persons relate the circumstances of the battle of Minden, one just coming from the battle, and one who was equally present at the battle, and related it ten years afterwards, and reconcile them if you can. Mr. Fox said that Dunning had the strongest head of any lawyer within his memory.

It was at this period that Mr. Fox received an admonitory letter from one of the most celebrated men in England. The subject of this letter was very singular. The letter was very long; I should think that it will be published. Mr. Fox returned rather a short and laconic

Iaconic answer—“ It is written with sincerity and good meaning,” said he.

Mr. Fox said that he had to reproach — with nothing but his want of sincerity. He had insinuated, and carefully cultivated in the mind of the King, a suspicion of Mr. Fox, and then produced this aversion of his Majesty, as the cause of his conduct.— Mr. Fox, however, we have reason to believe, was here unjust. It is certain, that the King at one time had a most decided aversion even to the person of Mr. Fox.

Mr. Fox had every paper morning and evening ; the Chronicle, of course, was his favourite. I cannot say that he ever wrote any thing in this journal, though I have occasionally read his very words, and frequently thought that I could recognise his stile.

The morning passed away in this manner. Mr. Fox usually walked to Chertsey, and thence to Laleham, across the fields, and when

when weary, returned to dinner. There was very seldom any company. The Duke of Bedford was sometimes at table, but most frequently no one but Mr. Fox and Mrs. Armsted. The dinner was invariably very simple, that of a private country gentleman. I do not think that Mr. Fox lived at the expence of seven hundred *per annum*. Wine indeed cost him nothing, as at the earnest request of one of his ardent admirers, a wine merchant, he permitted him to supply his table, and the merchant could never be persuaded to produce his bill.

Mr. Fox enjoyed his tea, by his own confession, more than his breakfast or dinner.— A novel was invariably on his tea-table; sometimes Mrs. Armsted read, sometimes the Duke of Bedford, and sometimes Mr. Fox. I was present when Camilla arrived from London ; Mr. Fox was at dinner, and was eager to begin the book immediately ; Mrs. Armsted took it from him, laughing, and said that he must be regular, and wait till tea.—

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The books were accordingly given to a servant, and ordered to the tea-room: The wished-for moment arrived, Mrs. Armsted commenced: it was pleasing to see the interest with which Mr. Fox heard this work. He would here and there, however, say, “ That’s a vile word—that’s used in the wrong sense—that’s an ungraceful imitation of Dr. Johnson.”

In this manner passed away day after day in tranquil retirement. I have reason to believe that Mr. Fox wrote very little, and can almost take upon me to assert, that his history of the Revolution, as it has been called, existed only in idea. Mr. Fox certainly said that no reign was so unsatisfactorily written as that of William the Third. But I do not believe that he ever entertained any intention of writing it himself.

Mr. Fox did not retire to his bed till a very late hour. In summer he walked much in the evening. He bathed daily, plunged at once into

into the river, and remained for a very short time. He was an excellent swimmer, and bathing from a schoolboy was his delight.

Mr. Fox had a kind of singular taste for music ; in this alone he was totally without judgment. Old tunes were such as alone pleased him. He said that no Opera was equal to Inkle and Yarico. Some one happening to mention the Beggar's Opera, he said, certainly, I will except that. The Beggar's Opera is the wittiest drama on the stage : the wit is simple, intelligible, and appeals alike to every one.

Mr. Fox said that Mr. Burke had once written a tragedy, and that he had seen two or three speeches. The imagery was in the character of Mr. Burke, splendid and just, but the structure of the versification was heavy, and the diction rather rhetorical than poetical. Mr. Fox asked Mr. Burke whether Garrick had ever seen it? Mr. Burke

said, “ No,—that he had the folly indeed to write it, but the wit to keep it to himself.”

The intimate connexion between Mr. Fox and the late Marquis of Lansdown, was only within about two years of the death of that nobleman. The late Marquis then sedulously cultivated the acquaintance of Mr. Fox. Previous to this period, notwithstanding their seeming concurrence, there was something of distance between them. The Marquis had some jealousy of Mr. Fox, and Mr. Fox had certainly not the best opinion of the sincerity of the Marquis. The late Marquis of Lansdown was indeed any thing but an amiable character. Let it be here observed, that we do not speak of him in a moral point of view; but as he was in domestic life. He was a most singular mixture of the courtier and the philosopher: of the dilettanti and statesman. With great pride he was occasionally as familiar, and ostentatiously condescending, as a French *petit maitre*; and at other times he was not to be seen for days together. He was alternately

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Italian almost as well as French ; and, as I am informed, has written an English comedy, and sent it by express to the manager of one of your theatres. Paris is not however pleased with him for this last trick ; it considers it as a kind of infidelity."

Mr. Fox always entertained the highest opinion of Madame Recamier ; he said that she was the only woman in France who united the attractions of pleasure to those of modesty. When her dress was objected to, Mr. Fox said, that it was the fashion in France, and had lost its indecency in its generality.

Mr. Fox entertained an axalted opinion of the talents of Barrere ; he said that he reminded him of Mr. ——, that "in his activity by starts, in his general indolence, in his dexterity at shifts, in his alike suiting himself to every party, without attachment to any ; a man of honour himself, but without difficulty connecting and adhering to men

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of the most perfect infamy ; Barrere was the complete counterpart of Mr. ——, who in the same situation would be found to act in the same manner.” Mr. Fox said, that Barrere had more sagacity than any of the French ministers, that his designs were more comprehensive, and his practical means best conceived. Barrere had an equally exalted opinion of Mr. Fox ; circumstances of course did not allow the free cultivation of this acquaintance.

Bonaparte had frequent private interviews with Mr. Fox. It will be allowed that these opportunities enabled him to form a just estimate of the character of this celebrated man. Perhaps here was the great value of the services of Mr. Fox, and here was the great point in which the public will most feel his loss. We have before mentioned, that he entertained a very peculiar opinion of Bonaparte ; that he said that he had a proud candour, which, in the confidence of his success in whatever he had resolved,

scorned

scorned to conceal his designs. “I never saw so little indirectness in any statesman as in the first Consul. He made no secret of his designs.”

After seeing what there was to be seen, not the face of the country, but the face of manners, which had arisen, as it were, out of a chaos, Mr. Fox returned to England. In a letter to a Noble Lord, which has passed much from one to another, Mr. Fox wrote his reflections upon French manners at some length. This letter was occasioned by the observation of Lord Fitzwilliam—that the revolution had found them—“A nation of coxcombs, and left them a nation of blackguards ; that manners, the civility of man to man, and the chivalrous homage to woman, which softens and gives a picturesque splendour to life, had wholly vanished, and a nation of citizens had replaced a nation of gentlemen.” Mr. Fox maintained “that the same gallantry continued to exist, though the foundation was gone ; and that the distinction
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of ranks, sufficient for the purposes of social order, still remained. That the revolution had doubtless effected much mischief, but the ferment had ceased, and the sediment gone to the bottom, never to re-appear. That the French Government, a century hence, would exhibit a most interesting spectacle: that of a Government not founded on feudal principles." It has been a matter of some surprise to me that this letter has not been published.

We now arrive at another period of Mr. Fox's life, that in which he appeared in strenuous opposition to Mr. Addington. What he said of this gentleman at a large party—(I do not conceive, under these circumstances, that it can be considered as said in private) will not soon be forgotten. "My Lord Salisbury would make a better minister, only that he is wanted for court-dancing-master." When he was asked what Mr. Addington would do after he had made peace? "I cannot say," said he, "but it will be something

something which will render him ridiculous to the end of time. If Mr. Addington wishes for supreme authority, let him be King of Bath, if he has interest enough at the rooms; he will find it more pleasant, and I am persuaded, more to his reputation." This was reported to Lord Sidmouth; I know not with what effect. I remember only that the union of the parties excited much astonishment in me, in common with the whole kingdom.

Mr. Fox understood from the commencement, the motives of Mr. Pitt in the substitution of Mr. Addington. It is not perhaps generally known that H—— M—— had become impatient of the long continuance of the war, and that this concurred with other causes to the decision of Mr. Pitt. Mr. Addington undertook the vacant office—nothing loath. The mediator was singular—the late Archbishop of Canterbury. Mr. Addington certainly had Mr. Pitt's most positive assurance of support. Mr. Pitt at first did nothing for him, and after a short interval,

found

found it necessary to act with more decision against him. Mr. Addington was dumb with astonishment.

The state of parties at that time was well known. The —— was not in a condition of health either to speak or act; yet was he made to do both in the formal proposals of the several parties. It was said that the —— had expressed an invincible dislike to Mr. Fox. Mr. Fox spoke of Mr. Pitt's conduct in this transaction with a liveliness of indignation not usual with him.

Mr. Pitt again resumed the place which he conceived to belong to him as a kind of birth-right. Mr. Addington bowed submissively, and passed gracefully into a peerage.

Mr. Fox did justice to Mr. Pitt; he said that he was almost the only man who had ever subdued such great talents under such complete subjection to official formality.

Upon the death of Mr. Pitt, /he conduct
of Mr. Fox was thought wanting in genero-
sity. It is not my purpose to enter into his
vindication. Mr. Fox certainly here acted
with his usual candour. He did not pretend
to what he did not feel. In his speech in the
House he did not withhold his acknowledg-
ment of the undoubted virtues of Mr. Pitt;
he allowed him to have been the Minister of
the cleanest hands of any that had ever held
the helm of State. He applauded his finance
—reprobated his wars, and voted to pay his
debts. This was something, though perhaps
more might have been wished.

We now come to the period of that mortal
illness which terminated the career of this
illustrious statesman, and that at a point of
time when his talents were undoubtedly much
wanted.

His disease.—The first seeds of it commen-
ced about the beginning of last winter. In
the month of December last, Mr. Fox was on
a country

a country visit with the Earl of A———. Mr. Fox during this period was very unwell. He found his constitution rapidly giving way. He was able neither to take the same exercise or the same diversions as formerly. He laid aside his habit of early rising, and frequently slept after dinner. His friends observed the change with a presentiment of the consequence. Mr. Fox himself was not blind to this advancing weakness. The seeds of his disease began daily to develope themselves, and Mr. Fox was himself conscious that he would not live long. “ My life has been active beyond my strength, I had almost said my duty. If I have not acted much, you will allow that I have spoken much, and I have felt more than I have either acted or spoken. My constitution has sunk under it. I find myself unequal to the business upon which you have written; it must be left to younger men. I think moreover that it will be a thankless labour. I expect nothing from — —. ’Tis a sword of state, which is borne in procession on solemn days,

but is never allowed to be employed; it is too old and rusty to cut. This is what W— said at Lord —'s, and I perfectly agree with him."

I have been permitted to make this extract from a letter now before me. One of the friends of Mr. Fox had applied to him for his concurrence and active support in an affair of some importance, and which has since proved a bone of contention between the different members of the party. It would not be pardonable, to speak more fully upon this subject; suffice it to say, Mr. Fox declined any active support, any leading concurrence in this business, from the state of his health.

Mr. Fox was confined to his bed many days during December, and was once very seriously indisposed, his legs swelled, and he took largely of decoction of the woods, under the impression that he was suffering under the scurvy.

It was peculiar to Mr. Fox, that he had formed in his own mind a kind of philosophic theory of medicine. He referred every thing to two causes, impurity of blood, and *the habit of the stomach.* He seldom, therefore, consulted a physician; for the most part prescribing to himself, and even mixing his own medicines. Paytherus in Bond-street was his chemist, and his annual bills for drugs, &c. amounted to a very considerable sum; rhubarb and vegetable decoctions were his favourite medicines. I have heard him however say, that the best purgative in the *Materia Medica* was fruit with thin skins, currants, raspberries, &c.

He had no suspicion that he was dropsical, and perhaps by this error contributed to confirm and aggravate his disease. He entered on a course of medicine, as if for the scurvy; and feeling very early in the period of his complaint an uncommon weakness of stomach, he imputed it to an insufficient

ficient digestion. This erroneous management had certainly very bad effects.

He was in this state when he returned to town early in January. Political affairs.—The situation of his party began to wear an important aspect. Mr. Pitt was declared irrecoverable so early as the beginning of January, and in a consultation about the 10th, it was announced that his death might be daily expected.

The necessary activity of such a time banished from Mr. Fox every sense of his weakness; he exerted himself in a manner which of itself would have ruined his constitution. Once, and once alone, he employed a very remarkable expression; Pitt has died in January,—perhaps I may go off before June. Mr. Fox said this walking up Pall Mall, as he entered the door of Nichols the bookseller. A gentleman who was with him, Mr. T—, said something in reply. Nay, said Mr. Fox again, I begin
to

to think that my complaint is not unlike Pitt's, my stomach has been long discomposed, I feel my constitution *dissolving*.

It is known to the friends of Mr. Fox, that in the interval of the death of Mr. Pitt, and the appointment of the new ministry, Mr. Fox experienced much vexation and great anxiety.

His health suffered so much under these fatigues, that his appetite sensibly decreased, and his legs alternately swelled, and became reduced. He was insensible to it whilst in action, but was seated but for a short time before he was seized with a sickness of the stomach: no medicine could relieve him of this most uneasy sensation. He was often compelled to retire from table and recline upon a sopha. He refused to consult the faculty; he endeavoured to impute these alarming symptoms to temporary anxiety, which would pass over with the cause.

This

This state of health continued through the month of March, when the progress became so visible, that, in the language of the turf, his most immediate friends pronounced him breaking fast; Mr. Fox still most unaccountably insisted that his disease was but a temporary habit; a physician, however, was now called in, but perhaps from the unintentional misrepresentations of Mr. Fox himself, his complaint was not as yet understood.

Mr. Fox happened about this time (in May) to recover an interval of strength, an event which confirmed his error.

This, however, continued but a very short time, the symptoms returned with redoubled force, and in the latter end of June he was already declared in a rapid state of certain decay.

His disease, however, was not publicly declared to be the dropsy before the commencement

mencement of the month of July. The symptoms were then no longer doubtful; the lethargy was alarming, the tumors daily increasing. All efforts to enable the vessels to discharge the water by natural process failed; the former weakness of the stomach was the gradual decay of all its powers. It was now generally agreed amongst the attendant physicians, that there was little hope of any favourable termination.

On the 29th of July a consultation was held, when it was generally agreed to try the operation of another powerful medicine, and if it failed of an immediate diuretic effect, that he should be tapped. No alternative remained but this last resource.

The medicine failed, the powers of the absorbent vessels were extinguished, and the physicians resolved upon the immediate execution of the last resource. On the Tuesday and Wednesday previous to the operation, Mr. Fox swelled most alarmingly,

it was wished to defer the operation till Sunday, but it was found impossible. It was accordingly resolved, and the resolution announced to Mr. Fox.

For the seven days previous, Mr. Fox had become persuaded of the necessity of this operation, and entreated that it might be performed. Mr. Cline, by his own desire, explained to him the course of medicine which had been pursued, and their nature and quality. Mr. Fox was satisfied, but requested that if the medicines should fail of their expected effect, as he foretold they would, from the increased weakness of his stomach, they would not delay the tapping, and would inform him previously of the appointed time.

On Thursday, August 7th, the operation was performed; about five gallons were taken from him. The water followed the stab with great violence; it was very fetid and discoloured, and as it were, a mass of blood,
which,

which, on being exposed to the air, coagulated within half an hour. The weakness immediately consequent was such as to excite a general alarm that he would not long survive it. He was for a long time speechless, and this at a moment when the newspapers of the day announced "that he was in most excellent spirits, and laughed and talked with Mrs. Fox and several others, after the operation." In spirits indeed!—he was prostrate on the bed, and with scarcely any appearance of life. His eye was half closed, and the light of life as it were extinguished. These were his spirits, and gaiety, and conversation.

On the ninth, tenth, and eleventh, his state continued very dubious; the night of the tenth it was particularly so; but from that period he continued to gain in strength and spirits, though this amendment itself was unfortunately but symptomatic. He now breakfasted with one or two of his more intimate friends by his bedside, and talked

with them as long as his physicians permitted.

It was during one of these morning conversations, that he first expressed his persuasion that his disease would terminate fatally. Lord —— said, that he had made a party for Christmas, in the country, and had taken the liberty to include Mr. Fox in it without his knowledge. But it will be a new scene, Sir, added he, and I think you will approve of it. I shall indeed be in a new scene by Christmas next, said Mr. Fox. "My Lord, what do you think of the state of the soul after death?" Lord ——, (confounded I believe by the unexpected turn which Mr. Fox had given to the conversation) made no reply. Mr. Fox continued — "That it is immortal, I am convinced. The existence of the Deity is a proof that spirit exists; why not therefore the soul of man? and if such an essence as the soul exists, by its nature it may exist for ever. I should have

have believed in the immortality of the soul though Christianity had never existed; but how it acts as separated from the body, is beyond my capacity of judgment. This, however, I shall know by next Christmas." Mrs. Fox here took his hand and wept. Mr. Fox was much moved—"I am happy," said he, "full of confidence, I may say of certainty."

Mr. Fox had so far recovered from the operation of the seventh, that he was declared in no immediate danger from the effect of it. This opinion of the physicians was strangely mistaken, as referring to the disease itself, and not to the operation. I can take upon myself to say, that the physicians had by this time given up all hopes of his recovery.

If any such expectations were indulged, they must have vanished the day after this consultation, when Mr. Fox again began to swell. Lord Holland, from his ardent and
anxious

anxious affection, endeavoured to persuade himself that this swelling was the mere effect of weakness, and the over exercise of the limbs. It had indeed some appearance of it, as it sunk again without any application.

On the 20th, Mr. Fox was in a long lethargy, and the physicians acknowledged their alarm.

On the day following, the return of the water was evident.

On the two following days there was an almost entire stoppage of the urine; the physicians publicly announced that they were unable to restore the action of the stomach, and of course could neither check the accumulation of the water, nor procure any evacuation for it.

On the 25th, they announced to Mr. Fox that another tapping would be necessary.

Mr.

Mr. Fox said, I know that I cannot survive this general dissolution of my constitution. Tell me how long you think I may live ; I do not ask you if my recovery is even possible. Mr. —— said, that some instances had occurred. Never at my period of life, and with my constitution, said Mr. Fox. I entreat you to inform me how long you think I can remain in my present state. The physicians here consulted, but were still silent. I will consent to be tapped, said Mr. Fox, but it is upon express condition, that I shall be previously removed to St. Anne's Hill. It is nearest to my heart to breath my last thiere. —The physicians declared with one voice that this was impossible, that he was in a state of too much weakness. Mr. Fox was with difficulty tranquillized.

Upon a subsequent consultation, the same day, it was agreed that his wish should be so far complied with, that he should be removed to Chiswick, as part of the way to St. Anne's Hill. The change of air, it was thought,

thought, might operate favourably on his stomach, when discharged of the water which it had again collected. With this purpose the resolution was taken to remove him on the day following, the 27th of August, and to tap him a second time on the following day.

He was accordingly removed to Chiswick; but on the day following, and even the second and third day after his removal, was so weak, that it was judged expedient to defer the operation. This was thought a very unlucky circumstance, as much had been expected from the immediate effect of a change of air, if the water should be immediately discharged for the second time.

He was not therefore tapped till the Sunday, the fourth day after his removal. The effect of this tapping is well known. The substance of the stomach was evidently more injured than before. The water was more fetid and putrid. Mr. Fox was so extremely weak during the operation, that it was judged

judged necessary to stop before the water was drawn off. It seemed the general opinion, that if the operation had been continued, he could not have survived it ; he recovered some strength on the following day, and received a visit from the Duke of Devonshire, who congratulated him on his amendment. Mr. Fox, however, shook his head with an air of resignation. On the following Wednesday, the operation of the Sunday was finished, the water exhausted, and a new course of medicine tried. On the two following days Mr. Fox was apparently recovering in health and spirits, his urine began to return, and—with the exception of the physicians, who had told Lord Holland, so early as the middle of July, that it was not reasonable to expect any favourable termination—some hopes were indulged in London and Chiswick. I think it necessary however to say, that Mr. Fox himself never encouraged any such hopes upon the return of the water after the first operation. From this period he gradually

prepared himself for the awful event, and evidently thought of it *most seriously*.

On the Sunday evening, his physicians recognized the symptoms of approaching dissolution. Mr. Fox had entreated them to give him previous notice. The physicians, however, did not consider it their duty to speak as yet. It was notified, however, to Lord Holland, but Mrs. Fox was not informed of it till the following day.

On Monday the symptoms had so augmented, the returning swelling, longer intervals of lethargy, and the languor of the pulse, that after a consultation it was decided to inform Mr. Fox, that he would most probably not survive TWENTY-FOUR HOURS, and that his recovery, or the continuance of his life during *fourteen days* longer, was not within the possibility of things. The communication was accordingly made to him in those words. Mr. Fox replied, "God's will

be done, I have lived enough, and shall die happy ; he then turned his head on his pillow, closed his eyes for about half a minute, and Lord Holland having entered in the mean time, he opened the palm of his hand as a sign for Lord Holland to give him his hand. Lord Holland took the hand of his uncle, but was unable to repress his tears. My dear, my beloved nephew, said Mr Fox, much moved. Mrs. Fox, supported by Lady Holland, and Lady E. Forster, the latter however only coming to the door of the apartment, now entered ; every one but the physicians and the family, now left the room ; the scene of distress was past description.

It was to the surprise of every one that Mr. Fox survived the night. Tuesday he continued in the same state, neither amending nor becoming worse. His pulse at intervals, fluttered. Towards the Wednesday morning, it was again announced to Lord Holland, that he could not survive the day. No sleep—restless—lingering—becoming momentarily

more exhausted ; his hands clammy, his feet with the coldness of death ; in a word, dying ! Such was his state on Wednesday, and till about five o'clock on the Thursday morning.

On Thursday the change was surprising, and to those who had not been accustomed to the bed of death, excited the most lively hopes. The clamminess of death had disappeared ! he slept, and appeared easy at intervals ; his pulse became regular ; his speech returned. He was in perfect possession of his senses. General Fitzpatrick was transported with joy, and some indignation was felt at the apparent coldness of the physicians, who, in announcing all these changes, seemed to offer but little value on them.

On Friday, early in the morning, all appearances of amendment vanished. The fatal symptoms of Monday and Wednesday returned, and it was a third time announced to Mr. Fox, that he could not survive many hours. His friends were again permitted to

take

take leave of him ; but when they were about to leave the apartment, Mr. Fox waved them back again, and expressed signs of impatience, when the physicians advised them to withdraw. Mr. Fox was able to speak at intervals. Lord Henry Petty approached his bed. Mr. Fox said, this is all in the course of nature. I am happy—Your labour is difficult, do not despair. Mr. Fox would have said more, but Lord Henry Petty, unable to repress his emotions, and by the desire of the physicians, retired to another part of the room. Mrs. Fox was fixed motionless with grief. A sudden burst of tears defeated all her precaution. Mr. Fox who had hold of her hand, looked piteously at her ; his back was turned, and he had to raise his head. Do not, do not, said he to Mrs. Fox. He was now evidently much exhausted ; the physicians insisted that every one should leave the room, and were obeyed. Mr. Fox fell into a kind of stupor.

In the evening his friends were again admitted.

mitted. Lord Holland and Mrs. Fox seemed almost wholly to occupy the attention of Mr. Fox; he talked to them at intervals, and finding himself exhausted, put Mrs. Fox's hand into that of Lord Holland, and then solemnly imposed, as it were, a silent blessing, by raising his own, and suffering it to fall gently on the united hands of his wife and nephew.

Mr. Fox passed the night restless and alternately in a stupor. In the morning he was evidently approaching nearer to his end. He again solicited by signs and half words the presence of his friends, who were in the apartment, but beyond his view: they approached his bed about noon, he made a sign for the hands of Mrs. Fox and Lord Holland, they were given him, he again united them, and silently blessed them with the same slow descent of his hand as on the preceding day; this he repeated three times. He then endeavoured to turn himself, his back being still towards them, and his head only

only bent forwards; he was too weak, however, for this effort. Mrs. Fox and Lord Holland went round to the other side of the bed; it was then he pronounced the last words he was able to speak: God bless you—bless you—and you all. I die happy.—I pity you.

He sunk again into a stupor, recovered about three o'clock, became weaker, looked for a moment *fully* upon all in the room, hung upon the countenances of Lord Holland and Mrs. Fox, closed his eyes, and opened them not again. He expired about 20 minutes before six o'clock by a watch regulated by the sun.

F I N I S.



A

LETTER

TO
THE RIGHT HONOURABLE
LORD VISCOUNT MELVILLE,

ON THE SUBJECT OF
HIS LORDSHIP'S LETTER

TO
THE RIGHT HON. SPENCER PERCEVAL,

RESPECTING
A NAVAL ARSENAL

AT
NORTHFLEET.

BY THE RIGHT HON. GEORGE ROSE.

SECOND EDITION.

LONDON:
PRINTED FOR T. CADELL AND W. DAVIES, STRAND.
1810.

[*Price 1s. 6d.*]

THE author has been enabled, in this edition, to give a correct extract from the report of the Commissioners for Naval Revision, respecting their opinion as to the ships of the enemy carrying their lower-deck ports higher out of the water than those built in this country ; which in justice to them he has inserted. — See p. 11.

A LETTER, &c.

MY LORD,

IN making this address to your Lordship, I have not the remotest intention of entering into a controversy with you in consequence of your letter to Mr. Perceval ; to which I should feel myself very unequal in every respect, even if the ground of the difference of opinion between us on the subject was much wider than it is. In truth that difference is more in degree than in substance, for if a new Naval Arsenal must be provided to the eastward, I am persuaded a better situation than Northfleet cannot be found ; from its easy access to the Nore, and being free from the difficulties of the upper part of the river.

Some explanation is, however, necessary for my presuming to address you on a matter out of the line of my general pursuits in public business, especially

upon one on which you have had opportunities that could not escape you in official situations, of informing yourself to the best advantage: and I cannot hope to be excused for doing so on a better ground than by stating, that after last Christmas Mr. Perceval sent to me in the country an abstract of the 15th Report of the Commissioners for Naval Revision, made for the purpose of drawing his attention to the several points in it, which were conceived to be the most important for his consideration. Unwilling to withhold the paper from others infinitely more likely to give useful advice upon it than myself, I sent it back by the return of the post, and in a few days afterwards communicated to him the following observations. Having then recently considered most attentively the extent to which our expenditure had grown, I will fairly own, I made them under the influence of a firm persuasion of the absolute necessity of reducing that in every practicable way not inconsistent with our safety: and I think it desirable to give these suggestions in the state they were offered at the time, to avoid as carefully as I can even the appearance of going out of my way to differ with your Lordship.

Cuffnells, January 6th 1810.

If it could be satisfactorily proved, that there is an indispensable necessity, or even a pressing urgency, for the Naval Arsenal at Northfleet to the extent proposed, the amount of the expence likely to attend it should not, I think, prevent the adoption of the measure; because unquestionably the maintenance of our naval superiority must be paramount to all other considerations whatever. But on the other hand it may safely be asserted, that there has been no period in our history when there existed stronger reasons for carefully avoiding every charge not essentially necessary for the safety of the country.

It is therefore incumbent on those who are most immediately intrusted with the public purse, to examine with the most diligent attention any plan that may be proposed, which is likely to occasion a considerable expenditure; and it can convey no reflection on the distinguished Nobleman at the head of the Commission for Naval Revision, than whom I know not a man more eminent for skill in naval matters, or more to be respected for unbiased integrity and unremitting zeal in the public service, or on the other commissioners, to

suppose it possible in this instance, that they may not have been aware of the infinite importance of such an examination. Under a strong impression of the great utility of the measure, they have very naturally brought forward every consideration likely to influence the minds of others.

What the cost of the whole of the works proposed at Northfleet would be, is, I think, not stated in the abridged account extracted from the report ; but the expectation held out by the commissioners cannot have been much less than 6,000,000l., as they say that the expence of the measure will be compensated by the savings in the first fifteen years, amounting to 5,900,000l. ; and considering how infinitely the real charge exceeds the estimate in all cases of this sort, it is not likely that the whole work, with the extensive fortifications necessary for its defence, in a situation more exposed than Chatham, would be completed for a sum lower than 10,000,000l. ; for whatever difference of opinion has prevailed about fortifications, there never was one expressed by any authority against effectual protection for our great Naval Arsenals. The sum

above-

above-mentioned will therefore not be thought an extravagant conjecture ; for which taxes must be found to produce nearly 600,000l. a-year.

The advantages that would attend the introduction of the use of mechanical powers to perform work in our dock yards, now done by the hands of men, are unquestionable ; and it has long been a matter of surprize to me that it has not been much earlier considered, how far that was practicable in the present yards ; as we have seen mechanical engines, especially those worked by steam, applied for the abridgment of labour in almost every private establishment of magnitude in the kingdom ; by the use of which the articles manufactured have not only been furnished at a much less expence, but have been improved in quality. The convenience and œconomy of railways, for carts, &c. to move in, is equally evident.

I am ready to make an admission also to the projectors of the plan (without knowing the fact), that great advantage would be derived from building all the large ships of war, and making the whole of the cordage, and perhaps the anchors, in His Ma-

jesty's yards ; but I am inclined to think it would by no means be advisable to introduce manufactures of canvas there, about which I shall say more before I finish this paper.

That the attainment of the objects on which there is no difference of opinion, could be infinitely better provided for in a new Naval Arsenal of sufficient extent than in the present yards, not only on account of the additional space that would be acquired, but by making all the arrangements of the buildings most advantageous for the application of machinery, it would be absurd to deny ; but the point for attentive consideration is, whether the superior benefits that would be derived from the new Arsenal are sufficient to justify the unavoidable expence that would be incurred.

Other circumstances are, however, stated by the commissioners to induce the adoption of the plan.

The want of sufficient depth of water at the present dock-yards ; an inconvenience said to be rapidly increasing.

— improper situations in which they are placed.

- insufficiency of them to maintain the navy on its present extended scale.
- want of space for ships in ordinary.
- decline of the dock-yards ; the means of naval superiority being thus lessened.
- necessity for our building the large ships of such a construction, as to prevent their carrying their lower-deck ports as advantageously as those of the enemy.
- distance at which the ships are from the yards, which affords opportunities for embezzlement ; expence of craft, &c. &c. &c.

In such a case as the present I should justly incur the imputation of great presumption if I were to do more than recommend that opinions offered by men of the highest professional character, should be considered before a measure which must be attended with a most enormous expence is adopted.—I repeat that it is perfectly natural they should propose such a measure, impressed as they are with its importance. The point I wish to press for attention is, whether material parts of it cannot be obtained in the present yards at a limited expence, though not to so great advantage as in a new Naval

Arsenal ; and whether the urgency is quite as great for that proposed as the zeal of the commissioners for the improvement of the navy has induced them to represent.

With respect to laying cordage by machinery, an highly useful work, and I believe the most important of those proposed to be done by steam, both as to œconomy and the improvement of the article ; I have a perfect conviction, formed on no light ground, that sufficient room may be found for it in the present yards ; and in many of them it seems probable machinery might be erected for all the other purposes suggested except the manufacture of canvas.

The forming railways to a considerable extent cannot be difficult, though not to so much advantage as if the buildings, &c. had been constructed with a view to them.

The inconvenience, urged by the Commissioners as rapidly increasing, of an insufficiency of the depth of water in our dock yards is a most serious evil. It is I believe not felt at Plymouth, where

ships

ships of any draft of water can enter the harbour and be docked; and equal convenience has been afforded by modern improvements, as far as respects the docks at Portsmouth; at the latter it is not the depth of water in the docks, or in the harbour, that is complained of, but the bar near the spit at the entrance of the harbour:—an inconvenience, I admit, nearly as great as shallow water in the docks or harbour would be, unless it can be removed ; the practicability of which has probably not escaped attention; otherwise it certainly ought to be considered.—At Sheerness no ship larger than one of 64 guns can be docked, but at Chatham first rates may be taken in. The objections to the yards at Woolwich and Deptford arise principally from the want of water in one or two of the reaches above Gravesend, Erith in particular *.

* As high as Long Reach, vessels of any draft of water may be navigated with perfect safety; but ships of great draft are lightened there, and wait for spring tides before they go higher up. The large Indiamen draw 23 or 24 feet, within a few inches of a seventy-four gun ship. The depth of water in the stream of the Thames continues nearly the same, (though the shores are covered with mud) by the exertions of the Trinity House, who take up above 300,000 tons of gravel yearly from the bed of the river, but the collection of mud there is about equal to that: in particular spots, however, I believe the depth has been somewhat improved.

And

And here may arise two questions for consideration, 1st. Whether the shoal in Erith Reach can be removed, and at what expence ; and, 2dly. If that should be found impracticable or too expensive, what the charge would be of making a cut from Purfleet to Blackwall, sufficiently deep for ships of the largest draft of water to pass through. The latter question is the more important, as it is of great consequence to the trade of the capital, as well as to the naval yards in the river ; such a cut has been in contemplation, and if it could be undertaken, it is probable the expence either of that, or of deepening Erith Reach, might be defrayed by a charge on the trade of the port, which would be compensated by the saving arising from avoiding delays, frequently very expensive and inconvenient : in either of which cases the yards of Woolwich and Deptford might perhaps be enlarged and rendered more useful.

The consideration next in importance to the obtaining deeper water at the entrance of Portsmouth Harbour and in Erith Reach, is the capacity of the present Yards for the building and equipment of ships for the navy ; having already referred to the

prac.

practicability of erecting machinery in them. In this part of the subject it is proper to take notice of the observations of the Commissioners, as stated in the abridgement * of the Report, respecting " the " necessity which unfortunately exists, of not giving " the large ships sufficient depth of hold to enable " them to carry their ports so high out of the " water as the ships of our enemies ; owing to " which the large ships of France and Spain are

* Since the publication of the first edition, I have been favoured with the following correct extract from the report of the commissioners ; which I think it right to give in their own words :—‘ In addition to the disadvantages arising from the want of a sufficient depth of water in the Royal harbours, there is another which we cannot state in more forcible terms than the Navy Board did in a letter of the 9th of November 1806 to the secretary of the admiralty, as follows : “ We must beg you will be pleased to draw their Lordships’ attention to the want of the depth of water in the several King’s ports : this consideration has prevented our giving the ships more depth, as we could not but be aware (even without the examples of the many French ships which have been taken,) that increased depth of hold would give the ships more stability, and enable them to carry their ports higher, provided they are not loaded with increased weights. If the ships of the first and second rates be deepened generally, the difficulty of docking them, and laying them up in a state of ordinary, must be increased.”

“ frequently

“ frequently enabled to use their lower-deck guns
“ at a time when the lower-deck ports of our large
“ ships are under water, and the guns render
“ incapable of being brought to bear upon the
“ enemy.”

On reading what the Commissioners say concerning these points, without the remotest intention, I am persuaded, of exaggeration; but insensibly carried away by their zeal for improvements, a person quite new to the subject would be disposed to think that no endeavours had been used for making improvements in our Naval Arsenals, to keep pace with the increase of our navy: whereas at Portsmouth alone, 23 acres have been added since the end of the seven years' war in 1763; that yard now containing 100 acres; in the new part of which are slips for building three ships of the largest size, and two for small ships. In Sheerness yard some additions have been lately made, the extent of which I do not know; nor am I apprized of what improvements have been lately made at Chatham, but those at Plymouth have been very complete. With the certain knowledge, however, of the very extensive improvements at Portsmouth, of some at Sheerness, and

and observing no neglect at Woolwich and Deptford, I am not aware of what the Commissioners allude to, when they speak of the decline of the dock yards, and the means of our naval superiority being lessened; especially as the additional convenience at Portsmouth, provided within the last 40 years, is not confined to building ships. The great basin there has been deepened and enlarged; the middle dock, south dock, and south east dock, in the great basin, made new; the four jetties have been enlarged; the north basin deepened and enlarged; the channel leading to the basin formed into a dock for frigates, and the entrance formed into a lock for receiving a ship occasionally. When it is considered likewise, that within the same period, the coppering our men of war has come into general use, which prolongs the time very considerably during which they can continue afloat without being docked, the provision made for docking them should be reckoned as two or three fold.

Difficult as I find it to understand the allusion of the Commissioners to *the decline of our dock yards*, I am equally unfortunate as to the comparative advantage

vantage (in the opinion of the Commissioners) in the construction of the ships of the enemy over those built in this country, with respect to their being able to use their lower tier of guns, when the lower-deck ports of our ships are under water ; which I am persuaded arises from my ignorance in professional matters. It will be seen in the following instances (not selected for the purpose), that the actual height of the lower-deck ports in our ships is about the same as in those of the enemy : and if the greater draft of water gives additional stiffness to a ship when it blows fresh, and so enables her to fight her lower guns better, even in that case the additional draft of the ships of the enemy above ours is inconsiderable.

Of first-rates I have not the means of making a comparison between the French and ours ; I believe indeed we have not now a French ship of this class in commission ; but the Spaniards have long been supposed to build as fine ships of war as the French ; with those the comparison stands thus ; a Spanish and an English ship of the same class, are lying along-side each other at Spithead at this time :

Height of midship ports
out of the water.
Feet. Inches.

British.	Caledonia	-	120 Guns	5	6
Spanish.	San Joseph	-	114 Guns	5	6

Of third-rates we can make the comparison between the English and French.

				Height above the midship port. Feet. Inches.	
British.	Milford	74 Guns		5	4
	Revenge	—		5	3
	Ajax	—		5	11
	Majestic	—		5	10
French.	Tigre *	74 Guns		4	3 $\frac{1}{4}$
	Impetueux	—		4	10
	Implacable	—		5	8 $\frac{1}{2}$
	Donegal	—		5	4

It having been thus shewn that the enemy has no advantage in the height of the lower-deck ports above the water, it remains to be considered whether there is such a difference in the construction, occasioning an increased draft of water, as to create a necessity for a new dock-yard on that account.

				Load Draft of Water. Feet. Inches.	
British.	Caledonia	120 Guns		26	0
	Milford	74		24	6
	Revenge	74		24	6

* This French ship, drawing the most water of any in the same class, appears to carry her lower-deck ports nearer to the water than the others.

		Load Draft of Water. Feet. Inches.
Ajax	74 Guns	23 3
Majestic	74	23 9
Foreign. San Joseph	114	27 1
Tigre *	74	25 4
Impetueux	74	24 0
Implacable	74	24 0
Donegal	74	24 4

Hence it appears that the greatest difference in the draft of water is in a first rate 13 inches, and not more in most of the third-rates; in some cases in the latter no difference can be insisted on.

I am next led to advert to provision being made for laying up ships in ordinary in time of peace; of which I admit the necessity; but a question upon this naturally arises, Whether in consequence thereof the incurring the heavy expence of making wet docks or basins of sufficient capacity for the purpose, is unavoidable? Or whether space may not be found in the vicinity of the present dock yards? In considering which, when it is admitted that a basin is much more convenient than a river for laying up ships, as the expence of moorings and boats are

* This French ship, drawing the most water of any in the same class, appears to carry her lower-deck ports nearer to the water than the others.

thereby saved, and the ships are in a state of quietness, it must at the same time be recollect'd, that the danger from accidental fire, or the destruction by an incendiary, or from a bombardment, is much greater in the former than in the latter situation. I have understood that in the Medway, at least double the number of ships may be moored than ever were laid up there, as there is sufficient depth of water for them between Gillingham and Standgate Creek; and in the latter I was informed, when last there, moorings might be laid down for eight or ten, as the Lazarette on shore is now in use. In the Southampton river, emptying itself into the sea within the Isle of Wight, and consequently smooth water, there is a space above Calshot Castle of nine miles, in a great part of which, moorings might be laid down for large ships. In the Hamble river, emptying itself into the Southampton river, there is a space of four miles between Bursledon (where 74 gun ships are built,) and the mouth of it, equally convenient for ships of a smaller size; and in the Beaulieu river, close to the Southampton water, there is a considerable space between Buckler's Hard (where also 74 gun ships are built) and the mouth of the river. Of additional accommodation in the neighbourhood of

Plymouth I cannot speak confidently, but I have been assured that it may be obtained in different branches of the Tamar.

Without deciding upon the comparative advantages and risks between ships being laid up in basins, and their lying at moorings in safe harbours, and still rivers, it may be observed, that the latter practice has prevailed from the earliest period of our naval history, and we have not heard of mischiefs resulting from it.

The argument used by the Commissioners, of our present ports being on a lee-shore, as applying to Portsmouth and Plymouth, can have reference only to the arsenals being on the most inconvenient sides of the harbours, because the opposite shores of the Channel belong to the enemy ; which circumstance may make it a little more inconvenient for ships to get out of the harbours, but can occasion no material delay : and however prevalent the wind from the westward is, I believe it does not often happen that a ship could go down the Channel from a French, when she could not do so from an English port on the opposite coast ; but if I am mistaken about that,

it

it would not affect the present question for the reason above-mentioned. Applying the objection to a lee-shore, to the extent of preferring one side of the river Thames to the other on that ground, seems to be pressing it very far; but this is not worth entering upon.

The observations on the inconvenience and loss arising from the ships necessarily lying at a distance from the dock yards, to take in their stores, which affords opportunities for embezzlement, must apply principally to Deptford and Woolwich. At all the other yards the ships lie within a trifling distance from the jetties and wharfs*; and even at those in the river I apprehend all the small stores of the Boat-swain, Gunner and Carpenter, such I mean as are capable of being plundered, might be put on board close to the yards without bringing the ship down one inch in the water; and the delay of delivering the remainder in Long Reach, cannot be considerable, unless in very bad weather, as the Hoy which carries

* At Portsmouth the shoal water at the entrance of the harbour does not prevent the large ships from taking in their heavy stores close to the yards: although their guns may not be taken in till they get to Spithead.

them will always get down in one tide. The expence of employing craft on such service, stated by the Commissioners, appears to be too trifling to deserve attention.

The situation of the yards of Portsmouth and Plymouth, it is conceived, are as good as can be found for channel or foreign service, except Falmouth ; where at some time it may be desirable to provide convenience for making that harbour a rendezvous for line-of-battle ships, which, I believe, might be done at a very moderate expence. To this place, however, I am aware objections have been made ; applying to the narrowness of the road for mooring ships of the line in safety ; to their getting out with the wind from south-east to south ; and to the danger from the Manacle rocks, which lie about seven or eight miles from the harbour's mouth. To all which I have in my possession answers which appear to me to be perfectly satisfactory ; and I have likewise a list of 656 ships and vessels in His Majesty's service, of which 69 were of the line and 83 frigates, that arrived at, and sailed from Falmouth, from 1805 to 1808, without an accident having happened to any one of them. In the latter part

of Mr. Pitt's administration, enquiries were made by skilful men as to the use that might be made of this port; and the result established the certainty that it might be rendered highly advantageous to the naval service of the country.

Chatham and Sheerness are well situated for the North Sea, as to equipment; in the former of which large ships may be built and receive thorough repairs; and those in the river are used for building large ships, and giving thorough repairs to frigates. If the arsenal at Northfleet should be erected, I apprehend its principal use (exclusive of containing the ships in ordinary,) must be to supply the defects of the eastern yards; it cannot answer for docking and fitting ships for the westward, on account of the length of time usually occupied in ships going from the Nore to Spithead or Plymouth, for which different winds are necessary *.

When

* It is not improbable that a ship might go from Plymouth to the West Indies, while one was getting from Gravesend to Plymouth; the supposition is not extravagant in the case of a large man of war: the advantage of the western ports for docking, small repairs and fitting, for all services except the North Seas, is therefore incontrovertible. A fleet sailed from

When the Commissioners say that a ship may make that passage with any wind, they must mean, I suppose, as far as the Downes, and that only in moderate and settled weather, (not much to be relied on in the winter season,) owing to the intricacy of the navigation: from the Downes they cannot go down the Channel with a westerly wind.

I come next to some positions of the Commissioners, on which I am under a considerable disadvantage, as the ground on which they rest is not stated in the Abstract.

1. That ships will be fitted in the new yard in half the time, and at half the expence now incurred.
2. The mode of returning the stores would enable them to be used again; which at present is seldom the case.

Portsmouth for foreign service, the same day that Colonel Crawford sailed with the force under his command to South America, from Falmouth; and accounts were received from him to the southward of the Line, on the same day that the Portsmouth squadron sailed from Plymouth; which port only they could reach, while the other crossed the Line, and a ship came from there to this country. This will appear the less surprising, if the prevalence of westerly winds in the Channel is considered.

On these two points it would be unfit to make any comment, till the reasons in support of them shall be seen in the Report: I will only say in the mean time, that I should think it difficult for much greater expedition to be used, than I have been an eye-witness of at Portsmouth.

3. Officers would be sooner set free when ships are paid off. — A ship being unrigged in a basin, might be stripped in a few days less, and the stores returned sooner than in a harbour; but at Portsmouth there is ~~a~~ basin which would contain as many ships as are likely to be paid off at once.

Thus far for the advantages expected to be derived to the navy from the new Naval Arsenal. The saving to be effected by it is estimated at 5,900,000l. in the first 15 years, and an equal sum in every 15 years afterwards; to arise from—

Building ships in the King's yards, instead of by contracts with private builders,	} 2,580,000
By making cordage and canvas	
	<u>3,320,000</u>
	<u>£ 5,900,000</u>

The particulars in support of this estimate are probably detailed in the Report; I will, therefore,

suppose the amount accurately stated in the paper sent to me. But in that case it would not be in my mind, as at present advised, an inducement to adopt the proposed measure ; because I believe if workmen could be found, there is sufficient accommodation in the King's yards for building the requisite number of ships.

The Commissioners say that the number of ships of the line and of 50 guns, including those built in the King's yards, Merchants' yards, and taken from the enemy in the 18 years previous to this Report, which were sufficient to carry our navy to its then flourishing state, amounted to 106, equal to about six in a year, and as we have 20 slips in the present dock-yards for ships of the line, the whole number necessary might be built in those, allowing each to be more than three years in hand, which must be admitted to be a reasonable time for seasoning. If there are not already sufficient slips in the King's yards for frigates, I suppose more may be provided. How far it would be practicable to get a sufficient strength of artificers for carrying on the whole of the new work, and for the repairs of the navy ; or if that could be accomplished, how far it would be prudent to engage

so much larger a number than could be employed in peace, I will not take upon me to say. I remember when the Pegase was taken by Lord St. Vincent in 1781, it was reported that she was built in 70 days. That was perhaps not true; nor, if true, is it meant to suggest that it would be expedient to attempt to follow such an example; as I have always understood that one certain advantage of building in the King's yards, is, that from the length of time the ships are usually on the stocks, the timber is well seasoned, in consequence of which they continue longer serviceable than those built more quickly in merchants' yards.

The saving on Cordage might be made in the present yards, nearly, if not quite, to the whole extent, as in the new Arsenal; if I am right in supposing that machinery for that article might be erected in these.

To the expediency of introducing a manufactory for Canvas in a Naval Arsenal, already alluded to generally, there seems to be serious objections; and the saving (if any) may be at least as well effected

by the public establishing one or more *, under superintendants of its own, in the most convenient situations that can be found. The introduction into yards of great numbers of men, women and children, who must be employed in such a manufactory, would alone be a great evil ; and to prevent mischief therefrom, much of the time of the superior officers would be taken up, interfering with their more important avocations of building, repairing, &c.

You will judge how far these observations are entitled to consideration ; I never till now heard the measure spoken of, except loosely as one to which it might be expedient at some time or other to resort ; no other reason occurred to me, therefore, against it, except its enormous expence. In such a case, the arguments in support of an opinion, formed to a certain extent, without a due examination, should be scrutinized with at least the same severity as those stated in support of one, conceived by

* Such manufactures might afford excellent employment in the naval schools, which I have long felt anxious for the establishment of.

the party proposing it to be of great utility, without having duly reflected on all the difficulties attendant on its adoption. Many of mine may be found to be erroneous or irrelevant. I feel my inferiority of judgment on the subject to that of the framers of the Report very strongly, and most unaffectedly : more especially as it is said to be supported by the authority of several gentlemen of the very highest respectability, (two of whom I have the good fortune to know personally) but who may perhaps have had in view only the best possible arrangements for a Naval Arsenal, without weighing concomitant circumstances *. With the sense of their superiority strongly impressed on my mind, I still feel that some facts which I have stated deserve consideration ; because I am confident that steam-engines may be applied in the present yards with great advantage to many purposes, such as the making cordage, to the sawing of timber, rolling and forging copper and iron, working the cranes, and perhaps for other uses. The spaces which they would occupy, would certainly, in most cases, be much less than is now

* Mr. Rennie, Mr. Huddart, Mr. Mylne, Mr. Jeffop, and Mr. Whidbey.

taken up by the mode in which the different articles are manufactured. Under which conviction, if that shall be admitted to be correct by competent judges, I am quite sure the measure in contemplation should not be proposed to Parliament, till a careful survey of each yard, as it now stands, shall be taken, in order to ascertain what improvements can be made in them respectively; on which surveys, well-digested designs may be prepared for the future probable increase of the improvements; so that as the present buildings shall decay, or may be gradually taken down, new may be erected in such situations as, in the end, to render the whole complete.

The expence of such surveys would be inconsiderable, and one year only would be lost. If the result should be a complete adoption of the North-fleet plan, the person proposing it would go to Parliament with a much better sanction than the recommendation of the Commissioners for Naval Revision, highly respectable, as their authority is. The throwing down great and extensive buildings in two dock-yards, as proposed, which have been erected at an immense expence, and setting up others

others on a new spot of ground, even if the charge to be incurred should be only one half of what has been stated, would surely require much deliberation, if the resources of the country were as abundant as they ever were. Of these I do not mean to speak with despondency ; with proper management I am persuaded they will carry us through all our difficulties, whatever their duration may be.

I have not entered on the question alluded to by the Commissioners, respecting the comparative economy between task-work and day-pay, because, as far as the former can be adopted, it may be as easily done in the old yards as in a new one.

The only other point touched upon in the abstract, and that but slightly, relates to Milford Haven ; but as the building ships there is suggested, I cannot resist recommending that some enquiry may be made before any establishment is fixed for that purpose ; the convenience of such a one can hardly arise from an abundance of timber in the neighbourhood ; as I remember to have heard, that by far the greater part used for the construction of the Milford of 74 guns built there, was sup-

plied from the forest of Dean; which would otherwise have been carried to His Majesty's yard at Plymouth. As a port for ships of war to resort to, except a few on the Irish station, I suppose it has seldom been used, unless by ships putting in accidentally.

I well remember the late Mr. Greville labouring incessantly during twelve years to obtain a naval establishment there; but he failed in that, though he succeeded in two other schemes for the benefit of the port; in one of the cases, at a great and useless expence to the public. A strong solicitation was urged even to make it a tobacco port, notwithstanding its extreme inconvenience in point of situation for importing and exporting, and that there is but little home-trade near it.

If these very superficial remarks, hastily made, shall contribute in any degree towards inducing you to consider the whole subject attentively, and to avail yourself, without delay, of the best advice you can obtain as to the practicability of improvements in the present yards, and the extent to which these can be carried, I shall think my time has not been ill employed.

THESE were the observations made to Mr. Perceval at the instant of my reading the paper sent to me by him; and acknowledging as I do, that there is much force in your Lordship's statements, and in the arguments in support of them, I am compelled to say that if I had been so fortunate as to have had the benefit of those, when writing to the first lord of the treasury, I should still have endeavoured to press on his mind the expediency of having the fullest possible information respecting the improvements which may be made in the present yards, before any thing should be done at Northfleet *; because without that a proper judgment cannot be formed of the extent to which the new work, if decided on, should be carried; and on useless expence might otherwise be incurred by its being begun on a larger scale than might ultimately be deemed necessary;—for such an enquiry, men more competent than those mentioned by your Lordship cannot be found in this country, nor I believe in the world †. It is

* Even for the works necessary for a dock-yard, as suggested in p. 47, in your Lordship's letter.

† See p. 27, of this tract.

true that these gentlemen, or some of them, have already examined the dock-yards, but not for the purpose to which I endeavoured to direct Mr. Perceval's attention. The immediate object, I think, should be to have correct surveys made of each yard as it now is, that it may be ascertained what steam-engines can be erected, and other improvements made for the works to which they are suited in the dock-yards; and that they may be arranged in such a manner, as to admit of their benefits being extended, as the further increase of the yards may require.

With the aid of such surveys, well digested designs for the future enlargement of the Arsenals may be prepared, with a view to their gradual improvement, so that as the present buildings decay, new ones may be erected in such situations as in the end may render the whole complete; from the want of which, I am afraid some of the buildings lately erected in the dock-yards, have not been placed to the best advantage.

It was an alarm at the expence of the undertaking, that led me to step out of my line, to submit

mit advice to Mr. Perceval. Concurring with your Lordship, as I do entirely, " that the country can never be served by a government of uncontented departments," I thought it important that he should satisfy himself of the necessity of an immense expence being incurred, before he should give his sanction to it ; for which I was the more anxious, under a conviction, not shaken I must confess by any thing in your Lordship's letter, that the savings to meet the charge, or in diminution of it, will be extremely inconsiderable. The estimate, as already noticed, is nearly 6,000,000l. ; nothing is included in that for defence ; and notwithstanding your Lordship's remarks on the triteness of the observation respecting the actual expence generally exceeding the estimate, and your reference to the works lately executed by private companies in the river, I am persuaded the arsenal would not be finished for any thing like that sum ; and that I was guilty of no exaggeration, when I suggested to Mr. Perceval the probability of an expenditure of 10,000,000l., including the extensive fortifications that would be requisite for it's defence ; without taking any thing into the calculation for the troops to be employed in them.

If I am right in supposing that all the machinery necessary for the several purposes wanted, may be erected in the present yards, and that there are slips sufficient in them for building all the line-of-battle ships, the articles of saving will be reduced to the doubtful one of building frigates and smaller vessels ; the mooring chains, and the charge for the men in ordinary, whose wages would be saved by the ships being in a basin, instead of in a river or harbour. Some misconception must have prevailed, I think, about the plunder of stores; no new protection against which at the great ports of out-fit has been thought of. In the instances your Lordship mentions of eight months' sea stores having been consumed before the ships left the Nore, the gross corruption of the officers must have been notorious, and it must be hoped was most severely punished, as a warning to deter such manifest delinquency in others *.

On

* This fact surely deserves a most minute investigation, to have it ascertained whether the stores alluded to were actually plundered, or were articles that had been worked up for the ship's use ; this is the more important, as the charge refers to more than one case. Mr. Colquhoun, whose authority is quoted, states the plunder of stores in the yards at Portsmouth,

On estimating the saving arising from a great number of ships of the line being laid up in a basin, some allowance should be made for the charge to be incurred for keeping it in repair. Other considerations, indeed, of a much higher nature, should also not escape attention; to which I have slightly alluded in my paper to Mr. Perceval, namely, the danger of fire from accident*, or from an incendiary; nor should we exclude from our mind attempts that may be made by an enterprizing enemy, induced thereto by the hope of destroying a large part of our navy at once; as he will now be able, unfortunately, to collect an immense force

Plymouth, and Chatham at 700,000l. a year; and as he supposes the value of those in the former to be greater in amount than the other two, his estimate of the plunder at Portsmouth alone must be nearly 400,000l. annually! where now, at least, there is as much vigilance as in any merchant's warehouse. And in the Thames, he mentions some river-pirates weighing a ship's anchor off Rotherhithe, in the night, with which, and *a whole cable*, they actually rowed away in the presence of the captain (who, with his crew, had been asleep while the operation was going on), telling him what they had done, and wishing him a good morning!

* If it is intended that no fires shall be allowed in the ships, to guard against accidents, barracks must be built and kept in repair, for the officers and men who have the care of the ships to reside in; respecting the expence of which some conjecture may now be formed.

opposite to the mouth of the Thames, and within 24 or 30 hours sail from it, with one wind.

Having stated as concisely as I could my reasons for thinking that an enormous expence should not be incurred, for a new naval arsenal to the extent proposed, I am ready to admit, that the means of offensive operations France has acquired, by the energy with which it has established an immense arsenal at Antwerp, and by the acquisition of all the ports of Holland, we may probably be compelled to keep a much larger number of line-of-battle ships constantly to the eastward, than have hitherto been found necessary; in which case the present Eastern Docks may not be found adequate for repairing and refitting the fleets to be employed in those seas, with a sufficient degree of expedition, so as effectually to supply the deficiency of the yards at Chatham and Sheerness for that service. But I still feel confident, that, before the larger or the narrower scale is finally decided on, an accurate survey of the present yards should be made, and that detailed plans for their improvement should be given*.

* I am aware of the opinion of the Commissioners for Naval Revision, quoted in p. 28. of the Letter, and of the

When your Lordship observes, "that some enlargements have been made to the yards within the space of time I am speaking of (that is from the reign of Henry VIII. to the present year), and that some few docks and slips have been added, and some storehouses built, but that the additions have by no means kept pace with the augmentations of our navy," you hardly do justice to those who have presided in our naval departments for nearly three centuries. Anderson, in his History of Commerce, says : " How much these dock-yards, storehouses, &c. (in Kent) have been increased and improved since Camden's time, and even since the first edition of Bishop Gibson's Additions in 1692, would require a volume fully to describe : and there are enlargements, as well as very useful and beautiful improvements, constantly making to those places, and also to the two famous ports of Portsmouth and Plymouth."—Your Lordship indeed states,

reference to the Reports of Messrs. Jessop and others, in p. 29. but it is the report of such civil engineers, and detailed plans from actual surveys, that I wish the Minister to be in possession of, after the attention of those gentlemen shall have been called to the precise point in view.

that

that the latter was formed in the reign of King William ; and I have already observed that, since the end of the seven years' war, the yard at the former has been enlarged more than one-third ; and additions made in it of several docks, basins, and very extensive storehouses, with other very considerable improvements. With the modern additions and improvements in some of the other yards I am not so well acquainted, but I believe they have been extensive. If measures have not been taken for deepening the water at the bar near the spit, at the entrance of the harbour at Portsmouth, and for increasing the back-water to prevent the future increase of the bar, no more time I think should be lost in attempting works of such infinite importance ; unless they have been deemed impracticable by competent judges.

The use of Northfleet, as a port of out-fit, would be confined to the equipment of the ships employed to the eastward ; for those on channel and foreign service it could not be rendered serviceable, on account of its distance, and the prevalence of the wind in the south-west quarter during two thirds of the year : ships would get from the Nore (as I observed to Mr. Perceval) to the Downs with almost any

any wind in moderate weather* ; but there they would be likely to be detained frequently for many weeks, in an extremely bad anchorage, with the wind at south-west or south-south-west ; during which time there might be a pressing urgency for employing them. In the early part of the year the wind prevails from the eastward, which would, on the other hand, prevent the ships of the western and foreign squadrons, from getting to the river to be fitted.

Not being able to form a conjecture about the nature of the plan for making the proposed arsenal by subscription under private management, I can offer no opinion respecting it ; such a one, however, as holds out the prospect of the advantages of avoiding the necessity of advancing the capital and the risk of bad workmanship, ensuring at the same time the speedy completion of it, should not be rejected on account of the novelty, or even the improbability of its succeeding, without full deliberation.

I have thus, in the midst of very pressing engagements in public business, ran very hastily over the

* See p. 21, 22. of this Tract.

several points in your Lordship's letter, in the hope only of contributing towards satisfying the public of the propriety of further enquiry, before we embark in an immense expence; submitting to the judgment of others, with great deference, the considerations which have occurred to me, as to the expediency, or rather the necessity, for the extended work, so earnestly recommended by your Lordship.

I have the honour to be, my Lord,
Your most obedient, and
very humble servant,

GEORGE ROSE.

March 19th,
1810.

Strahan and Preston,
Printers-Street, London.

MAGNA CHARTA, AND THE BILL OF RIGHTS.

[*Price Two Shillings.]*

MAGNA CHARTA

OR,

THE GREAT CHARTER,

OBTAINED FROM

KING JOHN

BY THE

PEOPLE OF ENGLAND.

WITH AN

INTRODUCTION,

CONTAINING THE

HISTORY OF ITS RISE AND COMPLETION.

ALSO

OBSERVATIONS ON LAWS
RELATIVE TO ITS PROMULGATION.

TO WHICH IS ADDED

AN AUTHENTIC COPY OF

THE BILL OF RIGHTS.

WITH ELUCIDATORY NOTES,

BY B. CURWEN, ESQ.

L O N D O N :

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1810.

INTRODUCTION.

ONE would scarcely think it necessary to offer any apology for publishing a new Edition of the GREAT CHARTER, the grand Palladium of English Liberty, at the present Day, were it not for the fastidious observations of some persons, who, fond of arbitrary power, would wish to bury in oblivion the valuable rights and privileges which this Charter preserves for the People. This instrument, to obtain which our Ancestors fought and bled, is the Bulwark to which every Briton looks up with confidence, as the Assessor of his Rights, and the Protector of his Person and Property. Hitherto this Charter has been inserted in large or expensive works, which have been beyond the means of many to obtain, and therefore it has, as it were, been lost to them; but for the information of those, who wish to possess a copy of it, the present publication is intended; and surely no one will be hardy enough to contend, that this is not the time to put into the hands of the People a copy of that Charter which asserts their Rights, maintains their Privileges, and protects their Li-

B berty.

berty. No family indeed ought to be without it, and the rising generation should be instructed in the contents of its various articles. In short, it should make a part of the education of youth.

As the history of this country before and at the period of obtaining this grant from king John is interspersed through the pages of large works, so that the circumstances which led to the humiliation of John and his granting this Charter to the Barons, can only be known by perusing those elaborate volumes, it is deemed necessary to illustrate this edition of the Charter with a succinct account of the transactions of those times, in order that the Reader may be fully acquainted with the motives of the Nobles who opposed the arbitrary proceedings of that Monarch, and compelled him to sign this Charter, which no Sovereign since his time has had the presumption to annul; or if they have felt themselves hurt at the restraint which it put upon them, and have attempted its violation, have always failed in the attempt.

The Feudal System, which had been established in this kingdom, was extremely irksome to the Nobles, who, on the day of the coronation of Henry I. (Aug. 5, 1100,) demanded of that prince an oath to abolish all the unjust practices

tices and illegal exactions of the late reign, that of William Rufus, and to enact better laws than had ever been in use under any preceding Sovereign of England. Accordingly, before the expiration of the day on which he was crowned, he granted a charter, by which he engaged to alleviate the rigour of the feudal institutions, to re-establish the Laws of Edward the Confessor, as improved by William the Conqueror, and to make an effectual reform of the abuses committed during the administration of his father and his brother*.

The desire of liberty is one of the strongest passions of our nature; and although its ardor be restrained by a long submission to established government, the flame still burns in the breast of the individual; and while it animates the savage

* Vid. Mathew Paris, p. 53.—Copies of this Charter were immediately dispersed over the different parts of the kingdom, one to each county; but the purport of it was so little regarded by Henry after he had established himself on the throne, that in the reign of king John, it was almost forgotten that such a charter had ever existed; and scarcely a single copy of it could then be found. Sir Henry Spelman observes, that this instrument was the original of Magna Charta, containing most of the articles of it, either specifically expressed, or generally included under the confirmation of the laws of Edward the Confessor.

to resist the attempts of the enemy who would enslave him, it stimulates the members of a regular community to assert their native rights against the tyranny of their rulers. King John had exercised his administration in such a manner, as seemed to authorize a conclusion that he considered himself as the absolute sovereign of a people who had no pretensions to real liberty. He oppressed them with constant exactions ; the produce of which he usually converted to the purposes of his private convenience, without regard to the public benefit of his realm ; a circumstance which seldom fails to alienate the affections of the people from the sovereign*. He disgusted his nobles by his insolence and

To exemplify this assertion from the transactions of our own times, we have only to turn to the affairs of France previous to the late Revolution. It is a well known fact, that the intolerable exactions made by Louis XVI. on the people of that country, were lavished away in a great measure on court parasites and favourites, innumerable examples of which appeared in the *Litre Rouge*, published in that country soon after the commencement of the Revolution, which had a great influence on the minds of the people, paved the way for his dethronement, and brought him at length to the guillotine. Louis the Sixteenth was the mildest prince that had sat upon the throne of France for a long series of years ; and the people generally assert their rights when princes of a mild disposition are placed at the helm.

nautex: he inflamed the resentment of many by debauching their wives and daughters, and in ridiculing their complaints of the injury and dishonour which he thus inflicted : he encroached on the rights of his subjects of all ranks : he paid no attention to the political duty of a sovereign, or to the moral integrity of a man. A prince of such a character could not be the object of popular esteem or attachment ; and it was natural to expect, that the spirit of the people would at length be roused to a vindication of their privileges, and to a peremptory demand of the full enjoyment of the freedom of their constitution. The tyrannical behaviour of John, his general pusillanimity, his levity of conduct, his mixture of arrogance and meanness, all concurred to flatter the English with strong hopes of the success of such vigorous measures as they might be induced to pursue for the humiliation of the tyrant and the recovery of their liberties. The rupture between the king and the Roman pontiff seemed to point out the present period (about 1208) as a favourable opportunity for opposing the arbitrary career of the former ; but the discontents of the people were not yet sufficiently matured for action, and no regular plan of resistance had as yet been concerted.

It cannot, however, be supposed that John was insensible to the general dissatisfaction of his subjects; and, as he apprehended, from the persevering vengeance of pope Innocent, a bull for his excommunication, which would shake the allegiance of his people, and furnish them with a plausible pretext for the revolt, he demanded the sons or other near relatives of his principal Barons as hostages for their fidelity.

In the year 1209 the pope excommunicated John by name; which sentence gave a papal sanction (a powerful engine in those times of superstition and bigotry) to the discontents of the English, and occasioned the migration of many of them. In this dilemma he undertook an expedition to Ireland, wisely judging, that by thus amusing and employing his subjects he should hinder them from brooding on the thoughts of an interdicted realm and an excommunicated sovereign. This expedition was undertaken in 1210, and the king was successful in subduing the Irish to obedience; after which he returned to England, where he extorted large sums from those religious orders which had either not contributed at all, or had given what he thought an insufficient proposition, towards the expences of his late enterprise.

prize. This circumstance helped to draw off the affections of the clergy; whose favour the kings of England had always found it proper to gain and to preserve.

In the year 1211, as John could not be brought to terms of reconciliation with the court of Rome, his Holiness published a Bull, absolving all the vassals of king John, and his subjects of every description, from their allegiance, and commanding them, on pain of excommunication, to avoid all commerce with him at his table, as well as in his council, and not even to discourse with him on any occasion †. Although the substantial purport of this sentence amounted to a deposition, the papal casuistry made a formal difference between the bull for dissolving the allegiance of the subject, and the edict for hurling a monarch from his throne. The next gradation, therefore, of pontifical revenge was a sentence which deposed John from his royal dignity, and notified the pope's intention of filling the throne of England with another prince ‡. By this bull, which was fulminated in 1212, all Christian princes, barons, and knights, were exhorted to avenge the injuries

* Vid. Matth. Paris, p. 220, 221.—Trivet. Annal.

† Vid. Matth. Par. p. 221. ‡ Matth. Par. p. 223.
and

and sufferings of the church, by joining in a crusade against the impious John; a service which (according to the artful, interested, and presumptuous insolence of a foreign priest, whose power kept pace with the bigoted blindness and ignorance of the times,) would entitle them to a plenary absolution from all their sins*.

To repress the incursions of Llewellyn, who was instigated by the pope to take up arms against John, he advanced with a large army to Nottingham, and ordered all the hostages to the amount of thirty persons of the first rank in Wales, to be put to death. He was, however, prevented from putting his sanguinary threat (that of exterminating the perfidious Welsh) into execution, by the alarming accounts which he received of a conspiracy formed by many of his Barons against his liberty or his life. The successive intimations of this nature that were conveyed to him, so much discouraged him, that he dismissed his forces, and hastened to the metropolis. By imprisoning several of the suspected Nobles, banishing some, and demanding hostages of others, he allayed his apprehensions of present danger, though he augmented

* Matth. Par. p. 223.

the odium of his administration. This he endeavoured to remove by some favourable and popular acts* ; but these being ascribed rather to the dictates of temporizing policy than to any permanent intentions of a beneficent sway, had little effect in conciliating the public favour.

In 1213, Philip king of France assembled a very powerful army, with the intention of conquering England ; but Innocent, who was apprehensive of Philip's becoming too powerful to heed the future dictates of the see of Rome, by the annexation of the kingdom of England to his other dominions, gave secret instructions to Pandulf, his legate, to make peace with John, but to insist on such terms as would secure victory to the church. The legate, in his conference with John, prognosticated the utter ruin of that prince, if he should not speedily humble himself towards the church. He assured him that Philip had received general encouragement from the English Barons, who would certainly, on the commencement of hostilities, revolt to that monarch, and perhaps deliver their master into the hands of his rival ; and that, even if the propagation of discontent should not

* Chron. Dunst.—Chron. Walt. Covent.

be so extensive as there was reason to believe, the superior power of Philip and the church would quickly and effectually crush him. The rhetoric of Pandulf, supported as it was by probability of remark, operated with sudden conviction on the mind of John, who declared himself willing to submit without reserve to the judgement of the church. The conditions of peace which the pope had drawn up were now produced by the legate, and ratified by the subscription of the humiliated King, on the 13th of May, 1213*. But this scene, so derogatory to the honour of the crown and the dignity of the nation, was not the only disgrace to which England, by the misconduct of her monarch, was now subjected. It was hinted to John by

* The most important of these conditions were, that John should receive Cardinal Stephen Langton as Archbishop of Canterbury; restore all the clergy whom he had expelled from their preferments; grant an indemnification of all damages sustained either by ecclesiastics or laymen for their adherence to the will of the pope; pay a certain sum to Langton by way of compensation for the loss arising from the detention of the revenues of his see; and that all disputes which might arise in the execution of this treaty should be referred to the pope or his representative. The Earl of Boulogne, and three English Earls, guaranteed, by oath, the punctual observance of the convention. Vid. Matthew Paris, p. 225—227.—Annals of Waverley, p. 177.

the artful and insinuating Pandulf, that the most efficacious means of preventing the success of Philip's designs, as well as of keeping the disaffected English in awe, would be the tributary surrender both of England and Ireland to the pope, whose influence and authority would then be more immediately exerted for the protection of his vassal. Accordingly, two days afterwards (May 15) John, continuing his career of ignominious submission, resigned his English and Irish dominions to Innocent and his successors in the popedom: consenting, by charter, to hold them in fief of the see of Rome, and to acknowledge his vassalage by the payment of seven hundred marks for England, and three hundred for Ireland; and concluding the instrument with a stipulation, that, if he or any of his successors should infringe it, a forfeiture of the fiefs should ensue*. This charter being delivered to Pandulf, John performed homage to the deputy of his new lord, and swore fealty to the absent pontiff; and the nuncio was so rejoiced at the triumph of the church over royalty, that he arrogantly trampled on the money which the king

* Vid. Math. Par. p. 227.—Chronic. Hemingf. lib. ii. cap. 98.—Annal. Waverl.

had given as an earnest of tributary subjection ; an insolence for which he was reprobated by the archbishop of Dublin.

About the middle of the year 1214, intestine commotions were on the point of agitating the kingdom. The people had long endured the king's oppressions ; but, though they had been long disaffected, they had not yet determined on vindicating their liberties by the sword. An opportunity for exertion, however, seemed to have arrived, when the infection of discontent became so general as to prognosticate success to the popular efforts, and when the instances of mean submission which the sovereign had shewn, flattered the public wishes with the prospect of his acquiescence in the spirited demands of a national association. Occasional meetings of the Barons had already taken place ; and the Archbishop of Canterbury, (Stephen Langton,) though he had been obtruded on the nation by the influence of the pope of Rome, and though, as a member of the college of cardinals, he could not have been expected to cherish a very warm regard for the privileges of the people, had even taken the lead in the design of circumscribing the power of John within the limits of constitutional authority. He had produced, be-

sore a party of the Barons, a copy of the charter of Henry the First, which he recommended to the attention of those who wished for the restoration of their liberties ; and all the Barons who were present had sworn, that they would, so soon as an opportunity should offer, boldly assert their rights, and risk their lives in so glorious a cause*. About the time of John's last return from the continent, in October this year, many of the Barons assembled at Bury, where they renewed their promises of making a formal demand of their ancient privileges ; and even swore, that they would harass the king with incessant hostilities, till they should extort from him a compliance with their requisitions. They fixed the approaching Christmas for the intimation of their demands to their sovereign ; and resolved to employ the intervening period in preparations for supporting their claims by the efficacy of arms, if a determined refusal from the king should render that violent appeal necessary †.

The confederated Barons, attended by an armed retinue, appeared at court on the 6th of January, 1215 ; and, being introduced to the

* Vid. Matth. Paris, p. 281.

† Vid. Matth. Par. p. 243.
king,

king, requested a confirmation of the Charter of Henry the First, and of the Laws of Edward the Confessor, in pursuance of the oath which he had lately taken on his receiving absolution from the Archbishop of Canterbury. John refused to accede to their solicitations, and even required them to promise that they would never advance such claims in future; but the tone of firmness which he assumed was not sufficient to awe them into so mean a condescension; and finding it expedient to assume a more complacent demeanour, he desired that a proper time might be allowed him to deliberate on the very important objects of their petition. The Archbishop of Canterbury, the Bishop of Ely, and the Earl of Pembroke, offering themselves as sureties for his returning a satisfactory answer at the ensuing Easter, the Barons retired from his presence *.

To guard against the machinations of the associated Nobles, the king exacted, from his subjects in general, a renewal of homage and fealty; and, that he might secure on his side the powerful influence of the clergy, he granted a charter, by which he conferred, on all chapters

* Vid. Matth. Par. ad ann. 1215.—Matthew of Westminster.

and conventional societies, the free right of supplying their own vacancies *. As the assumption of the cross was usually deemed a valid protection to the persons and property of individuals, he distinguished himself by that badge, though he had no intentions of acting as a crusader. He sent an envoy to Rome, to notify his appeal to the tribunal of the sovereign pontiff from the unreasonable demands of his Barons. The latter also had recourse to the pope, whom they solicited to procure for them the re-establishment of their rights. In this dispute, Innocent thought proper to espouse the cause of the king, whose vassalage he expected to lose if the Barons should triumph in the contest.

The confederated Barons met at Stamford in Lincolnshire in Easter-week, accompanied by all their knights, and a considerable number of common people; and they marched in formidable array to Brackley, the king being then at Oxford. Hearing of their approach, John sent messengers to enquire what were the laws and liberties which they desired. To these deputies the Barons delivered a schedule of their demands; affirming, that, if their sovereign should refuse his assent, they would instantly declare war

against him. John was no sooner informed of the different articles which they had proposed, than he furiously protested, that he would never grant such conditions as would degrade him from his royal dignity into a state of servitude. This declaration of the king impelled the Barons into immediate action. They conferred the command of their forces on Robert Fitz-Walter, with the title of "Mareschal of the Army of God and the Holy Church;" and commenced their warlike operations with the siege of the royal castle of Northampton; from which they repaired to Bedford, and received the voluntary surrender of the castle and town. They afterwards hastened to the capital, and took possession of it without resistance. Having got the metropolis in their power, many others of the Nobility and Gentry flocked to their standard, and joined the baronial army, which soon became so numerous as to defy the whole force which the king could muster.

In this extremity John requested the primate to excommunicate the rebels, for having risen in arms against a prince who had assumed the cross; but Langton, being warmly interested in the cause of the Barons, though he had wisely kept himself from appearing as an open abettor, found

found pretences for delaying the exercise of spiritual arms. Thus disappointed, the king sent a proposal to the confederates, couched in the form of letters patent, offering to refer the consideration of the liberties required by them either to the pope alone, or to eight noblemen, jointly with his holiness, four of whom should be named by himself, and the other four by the Barons ; and promising, that, with regard to the other objects of their solicitations, he would do them justice by the award of their peers. But the Barons rejected his propositions ; and, conscious of the disparity of his force, he was at length constrained, by the persevering boldness of an armed confederacy, to surrender at discretion. He then sent the Earl of Pembroke to assure them, that he would grant their demands, and to appoint a time and place for a public conference, in which all disputes should be amicably adjusted.

On the day appointed for the decision of this momentous controversy, the king and the few nobles who adhered to him appeared in an extensive meadow between Staines and Windsor, immortalized in English history by the appellation of Runing-medæ, (generally called * Runy-

* This place seems to have derived its name from this celebrated treaty ; *Runne*, in the Saxon language, signifying *council*, agreeably to Matth. Westm. who terms it *council-ead*, “*pratum concilii.*” D medæ ; †

mede;) and, on the opposite side of the mead, the Barons and their numerous followers fixed their camp. After a discussion which continued for nine days, the king subscribed the Great Charter of English Liberty, which has generally obtained the Latin designation of Magna Charta, on the 15th of June, 1215.

Thus was the Great Charter, which establishes even at the present day the rights and privileges of the subject, obtained from one of the most tyrannical kings that ever swayed the sceptre in Britain; but it was so disagreeable to John, that he sought every opportunity to annul it. Indeed he had no sooner signed this grand Foundation of the English Constitution and Liberty, than he perceived that his power was circumscribed, and it required all the sagacity and precaution of the Barons to secure the observance of its articles. The king desired to take revenge on the Barons, but he was neither in possession of men nor of money sufficient to support him in the execution of his ambitious designs; and, that he might carry on a successful war against the patriots, he invited over to this country vast numbers of people from France, Germany, Flanders, and Italy, promising them, as a reward for their services, the estates of the rebellious Barons,

Barons, as he was pleased to term them. He likewise applied to the pope (Innocent III.) to whom he sent a copy of the Great Charter, praying to be absolved from the oath he had taken to observe it. His holiness feeling chagrin at the humiliating situation of his vassal, immediately set aside John's oath, and declared that the insolence of the Barons should not go unpunished. He therefore commanded them to relinquish the privileges they had just obtained, or incur the anger of the holy see. Herein, however, he was disappointed ; for the Barons laughed at his rage, and contemned his threats. The consequence was, that the dogs of war were let loose, and the most dreadful ravages were committed in the kingdom. He desolated the counties of Middlesex, Hertford, Essex, Cambridge, and Huntingdon, glutting his revenge with all that mixture of pleasure and savage ferocity which pervade the heart of a sanguinary tyrant, intent on the destruction of his fellow creatures; while his friend, pope Innocent, thundered his anathemas against the Barons and their followers. At length, the king finding that his troops greatly deserted to the enemy, it affected him so much, that he was thrown into a fever which put an end to his life on the 19th of October, 1216,

About a year and four months after he had signed Magna Charta.

This Charter was several times confirmed, and as often violated by John's son and successor Henry III. till (in the 37th year of his reign) he met the whole parliament, on the 4th of May, 1253, in Westminster Hall. On this occasion the prelates and clergy were in their full robes, and each held a burning taper in his hand. The Great Charter was read aloud before this august assembly; and the Archbishop of Canterbury pronounced a sentence of excommunication, containing the most tremendous maledictions and denunciations of the Divine wrath against all such as should violate, or consent to the violation of any of its articles. The prelates and clergy then threw down their tapers on the ground, and exclaimed, "May the soul of every one who shall incur this sentence so stink and corrupt in hell." To which the king, laying his hand upon his heart, replied, "So help me, God! I will preserve all these articles inviolate, as I am a man, as I am a christian, as I am a knight, and as I am a king crowned and anointed*." It must be confessed, that nothing could

* At the beginning of this ceremony a taper was offered to

could exceed the awful solemnity of these obligations ; yet, such was the nefarious infatuation of this misguided prince, that he was guilty of a continual violation of them : for the very next year he again invaded the rights of his people, and the Barons entered into a war against him ; when, after various success, he confirmed this Charter in the fifty-second year of his reign,

Several attempts were made in after times to do away the effects of Magna Charta, particularly by the Stuart family, who strove with all their might to mutilate the venerable fabric, by the institution of the court of Star Chamber, and by other arbitrary proceedings. One of them lost his life at Whitehall, and another probably saved his life by abdicating the throne.

OBSERVATIONS.

The Great Charter, so equitable, and so beneficial to the subject, is the most ancient written law of the land. In the 25th of Edward the

precision : " As I belong not to the sacerdotal order, it is out of my province to hold a light on this occasion ; but my heart bears a stronger testimony than can be declared by mere external forms." Vid. Matth. Paris, p. 339. Alas ! how little faith is to be placed on the words, or oaths of some potentates !

First. (Oct. 7, 1207,) it was again confirmed, and it was ordained, that "it shall be taken as the common law." And by the 43rd of Edward the Third, anno 1370, all statutes made against it are declared to be "null and void." In the act of Parliament, passed in the 25th of Edward I. which is still in force, although strangely neglected, are the following clauses:

Cap. 2. "And we will, that if any judgement be given from henceforth, contrary to the points of the Charter aforesaid, by the Justices, or by any other Ministers, that hold plea before them, against the points of the Charter, it shall be undone, and holden for nought."

Cap. 3. "And we will, that the same Charter shall be sent under one seal, to Cathedral Churches throughout our Realm, there to remain, and shall be read before the people two times by the year."

Cap. 4. "And that all Archbishops and Bishops shall pronounce the sentence of excommunication against all those, that by word, deed, or council, do contrary to the aforesaid Charter, or that in any point break or undo it. And that the said curses be twice a year denounced and published by the Prelates aforesaid. And if the same Prelates, Bishops, or any of them, be remiss in the denunciation of the said sentence, the Archbishops of Canterbury and York, for the time being, shall compel and constrain them to the execution of their duties in form aforesaid."

It is impossible that anything can be of greater importance, than that the people should be from time to time instructed as to the extent of their

rights and privileges, that they may be enabled to assert, and vigorously to defend them. It is therefore, agreeably to the above clauses, highly incumbent on the Bishops immediately to conform themselves to the orders of the above Act of Parliament, and to direct, that the Great Charter be read twice a year in their respective cathedrals, together with "the Sentence of Excommunication against all those, that by word, deed, or council, do contrary to the aforesaid Charter, or that in any point break or undo it."

Lord Somers, speaking of the Great Charter says,

" Magna Charta being only an Abridgement of our ancient Laws and Customs, the King that swears to it, swears to them all, and is not admitted to be the interpreter of it, or to determine what is good or evil, fit to be observed or annulled in it, and he can have no more power over the rest. This having been confirmed by more Parliaments than we have had Kings since that time, the same obligation must still lie upon them all, as upon John and Henry, in whose time that Claim of Right was compiled. We know the value our ancestors set upon their Liberties, and the courage with which they defended them; and we can have no better example to encourage us, never to suffer them to be violated or diminished *."

* See "Judgement of Kingdoms and Nations," paragr. 6.—Lord Somers, the author of this work, was one of the greatest lawyers this country could boast of: he was Lord Chancellor in the reign of William III.

In a Letter signed PUBLICOLA, published in the Times, April 3, 1810, and addressed to his Grace the Archbishop of Canterbury, are the following passages :

" The Great Charter is the very essence of our Kings, to govern according to Law; for where the will governs, and not the Law, there is no longer King. The Law is to be the only rule and measure of his government. He can do nothing as a King but what he can legally do. " The Law," saith Bracton, who wrote under Henry III. " maketh the King. Let the King therefore render to the Law, what the Law has invested in him with regard to others—dominion and power; for he is not truly King, where will and pleasure rule, and not the Law." It is, therefore, one of the first axioms of our Regal Government, that " the Law makes the King," and he subjects himself to the Law by his Coronation Oath. For when a King of England is crowned, the Archbishop or Bishop says to him " Will you solemnly promise and swear to govern the people of this kingdom of England according to the laws and customs of the same ? " The King answers, " I solemnly promise so to do." " Will you preserve unto the Bishops and Clergy of this realm, and to the churches committed to their charge, all such rights and privileges as by law do or shall appertain unto them, or any of them ? " The King answers, " All this I promise to do."

Now, when the present King acceded to the throne, the above questions were put to him, and he gave the above answers; and, therefore, your Grace will rejoice with every individual of this realm, that the King is bound to observe and keep the " Great Charter." I say your Grace will rejoice, because the very first article of that Charter is, " That the Church of England shall be free, and enjoy her whole rights and

and liberties inviolable." And I am sure every individual will rejoice, because another chapter in the Charter says, " No man shall be taken or imprisoned, or disfeized of his freehold, or outlawed, or banished, or any ways destroyed ; nor will we pass upon him, or commit him to prison, unless by the legal judgement of his Peers, or by the law of the land." But I have no fear that the King will at any time attempt, or encourage, or countenance others, to break any of the points of the Great Charter ; for I remember that a little while ago, when some alterations in the laws with regard to religion were suggested to him, he replied, that " it was against his Coronation Oath, and he could not do it." And, therefore, I am sure the King will not suffer any of his subjects to be imprisoned, " unless by the judgement of his Peers ;" for that would be equally against his Coronation Oath, being against the " Great Charter," which is the foundation of the liberties both of the church and of the people.

From the King I will pass to the Judges. The Judges are sworn to execute justice (as my Lord Coke says, 12 ch. 64.) " according to law and custom of England." This proves, how justly the laws are called the great inheritances of every subject, and the inheritance of inheritances, without which we have no inheritance. For (as Lord Somers observes) " as the subjects of the King are born to lands, and other things, so they are born to inherit and enjoy the laws of this realm, that so every man have an equal benefit by law."

Now, if the Judges are sworn to execute justice according to law, are they not bound to execute justice according to Magna Charta ? Then what says the Great Charter ? It says, " No freeman shall be imprisoned, unless by the legal judgement of his Peers." Again, what says the Act of Confirmation of the Great Charter by Edward the First ? It says, " Our Justices, Sheriffs, Mayors, and other Ministers, which

under us have the laws of our land to guide, shall allow the same Charter pleaded before them in judgement in all its points, as the common law." This (says my Lord Coke) is a clause worthy to be written in letters of gold : and here (he adds) it is to be observed, that the laws are the Judges' guides, or leaders, according to that rule, " *Lex est exercitus judicium tutissimus duxit, or Lex est optimus judicis zenagogus, and Lex est tutissima cassis.*" (2 Inst. 526.)

The Judges of the land are, therefore, bound to do justice to every man according to the law of the land. Queen Elizabeth and her Counsellors pressed the Judges very hardly to obey the Patent under her Great Seal, in the case of Cavendish ; but they answered, " that both she and they had taken an oath to keep the law, and if they should obey her commands, the law would not warrant them," &c. (Anderson's Rep. p. 155.) And besides the offence against God, their country, and the commonwealth, they alledged the example of Empson and Dudley, who were executed as traitors, as were Gaveston, the two Spencers, Tresilian, Strafford, and others, for subverting the laws of the land, in obedience to the King's command, whereby they said, " They were deterred from obeying her illegal commands." They had sworn to keep the Law, notwithstanding the King's writs, knew that the Law depended not upon his will : and the same oath that obliged them not to regard any command they should receive from him, shewed, that they were not to expect indemnity by it ; and not only, that the King had neither the power of making, altering, mitigating, or interpreting the Law ; but that he was not at all to be heard, in general or particular matters, otherwise than as he speaks, in the common course of justice, by the courts legally established. Hence it appears that the Judges are bound to decide according to the Great Charter ; for that is a part (and the most valuable part) of our Laws, and they are sworn to execute justice " according

to the Laws." Upon this principle it was that "when a letter was written by the Speaker to the Judges, to stay proceedings against a privileged person, they rejected it as contrary to their oath of office. (See Noy, 83. 757.)

But I will not occupy your Grace too much. I will just introduce to your notice a passage from the "History of the Reign of King Charles the Second," by Bishop Burnet :

"The House" he is speaking of the House of Commons in the year 1680, "did likewise send their Serjeant to many parts of England, to bring up abhorvers as delinquents; upon which the right that they had to imprison any besides their own members came to be much questioned, since they could not receive an information upon oath, nor proceed against such as refused to appear before them. In many places, those for whom they sent their Serjeant, refused to come up. It was found that such practices were grounded on no law, and were no elder than Queen Elizabeth's time. While the House of Commons used that power more gently, it was submitted to in respect to it; but now it grew to be so much extended that many resolved not to submit to it." (See Vol. ii. p. 121.)

Now, I will offer to your Grace a little comment on this passage. First, the Bishop says, "It was found that such practices were grounded on no Law." To be sure it was, for Magna Charta says, "No freeman shall be imprisoned, but by the legal judgement of his peers." Then he says, "Such practices were no elder than Queen Elizabeth's time." This is very important; for it should seem that the House wanted to set up an "immemorial custom," but they could ascend no higher than Queen Elizabeth's time. Now, it is clear and established law, that in order to make a "custom" good, it must have been used so long, "that the memory of man runneth not to the contrary." If any one can shew the beginning of it within "legal" memory, (that is, within any

time since the first year of the reign of Richard I.) it is not a good custom. But, supposing they could have found precedents before the time of Elizabeth, could they have acted upon them? Certainly not: for, as Lord Coke says, "No custom can prevail against an express Act of Parliament;" and Magna Charta is an express act, which declares that "No freeman shall be imprisoned but by the legal judgement of his peers." However, the Bishop adds, that "while the House of Commons used that power gently, it was submitted to in respect to it; but now it grew to be so much extended (a dangerous and alarming circumstance indeed!) that many resolved not to submit to it."

The very important instrument which we have presented to the Reader was translated from an authentic copy of Magna Charta, deposited in the Library of the British Museum. There are some few passages somewhat different from the copy which is given in Matthew Paris's History; but these variations do not affect the sense, and are therefore of little consequence. There are two other copies of this Charter in the Cotton library, which are as old as the time of king John. One has the broad seal affixed to it, and both appear to have been written by the same hand. That which has no seal has two slits at the bottom, from which, without doubt, originally hung two seals.

MAGNA CHARTA:

OR

THE GREAT CHARTER

JOHN, (by the grace of God) king of England, lord of Ireland, duke of Normandy and Aquitaine, and earl of Anjou, to his archbishops, bishops, abbots, earls, barons, justiciaries, foresters, sheriffs, governors, officers, and to all his bailiffs and faithful subjects, greeting. Know ye, that we *, from our regard to God, and for the salvation of our own soul, and for the souls of our ancestors, and of our heirs, to the honour of God, the exaltation of our holy church, and the amendment of our kingdom, by the advice of our venerable fathers, Stephen archbishop of Canterbury, primate of all England, and cardinal of the holy Roman church, Henry archbishop of Dublin, William of London, Peter of Winchester, Joceline of Bath and Glastonbury, Hugh of Lincoln, Walter of Worcester, William of Coventry, Benedict of Rochester, bishops; of master Pandulf, the pope's subdeacon and familiar, brother Eymeric master of the knights-templars in England, and of the following noble

* King John was the first of the kings of England, who in his grants wrote the pronoun in the plural number. See Coke's Institutes, p. 2.

persons,

persons, William Mareschal, earl of Pembroke, William earl of Salisbury, William earl of Warrenne, William earl of Arundel, Allan of Galloway constable of Scotland, Warin Fitz-Gerald, Peter Fitz-Herbert, Hubert de Burgh seneschal of Poictou, Hugh de Nevil, Matthew Fitz-Herbert, Thomas Basset, Alan Basset, Philip d'Albiney, Robert de Roppe, John Marischal, John Fitz-Hugh, and of others our liegemen; have granted to God, and by this our present charter have confirmed, for us, and our heirs for ever,

1st. That the English church shall be free, and shall have her whole rights, and her liberties inviolate; and we will have this observed in such a manner, that it may appear thence, that the freedom of election, which was reputed most necessary to the English church, which we granted, and by our charter confirmed, and of which we obtained the confirmation from pope Innocent III. before the rupture between us and our barons, was granted of our own free will. Which charter we shall observe; and we order it to be observed, with good faith, by our heirs for ever.—We have also granted to all the freemen of our kingdom, for us and our heirs for ever, all the under-written liberties, to be enjoyed and holden by them and their heirs, of us and our heirs.

2. If any of our earls or barons, or others who hold of us in chief by military service, shall die, and at his death his heir shall be of full age, and owe he shall have his inheritance by the ancient

relief[¶], viz. the heir or heirs of an earl, for a whole earl's barony, by one hundred pounds †; the heir or heirs of a knight, for a whole knight's fee, by one hundred shillings at most; and he ~~who~~^{shall} owes less shall give less, according to the ancient custom of fees.

3. But if the heir of any such person be a minor, and in wardship, when he comes of age he shall have his inheritance without relief and without fine.

4. The warden of an heir who is under age, shall not take of the lands of the heir any but reasonable issues ‡, reasonable customs, and reasonable services §, and that without destruction and waste of the

* According to the laws of William I. the relief of an earl was, eight horses saddled and bridled, four helmets, four coats of mail, four shields, four spears, four swords, four chafers, and one palfry bridled and saddled.—The relief of a baron was one half of the above, together with the palfry.—That of a vassal, or great vassal, to his lord, his best horse, his helmet, coat of mail, shield, spear, sword; or in lieu of them, one hundred, &c. See Coke's Institut. p. 7.

† Although it is written *libras*, i. e. *pounds*, in the copy of the original charter preserved in the Cotton Library; it is most probable that it is an error of the transcriber. In Matthew Paris, (edit. Tigur. p. 246.) it is called *marcas*, that is, *marks*. This reading of Matthew Paris seems preferable; for the ancient relief of a Barony was one-fourth of its annual value, and the yearly value of a Barony was exactly four hundred marks.

‡ By *issues* are intended rents and profits, customs, advowsons, communioms, strays, fines, &c. See Coke's Institut.

§ By *services* are meant the labour due from the copyholders to their lords. See Coke's Institut. p. 12, 13.

tenants or effects ; and if we commit the custody of any such lands to a sheriff, or to any other person who is bound to answer to us for the issues of them, and he shall make destruction or waste upon the ward-lands, we will recover damages of him, and the lands shall be committed to two legal and discreet men of that fee, who shall answer for the issues to us, or to him to whom we have assigned them ; and if we grant or sell to any one the custody of any such lands, and he shall make destruction or waste, he shall lose the custody, which shall be committed to two legal and discreet men of that fee, who shall answer to us as was said before.

5. But the warden, so long as he shall have the custody of the lands, shall keep in order the houses, parks, warrens, ponds, mills, and other things belonging to them, out of their issues ; and he shall deliver to the heir, when of age, his whole estate provided with ploughs and other implements of agriculture, according to what the season requires, and the profits of the lands can reasonably afford.

6. Heirs shall be married without disparagement, and before the marriage is contracted it shall be notified to the relations of the heir by consanguinity.

7. A widow, after the death of her husband, shall immediately, and without difficulty, have her marriage-goods and her inheritance ; nor shall she give any thing for her dower, or her marriage goods, or her inheritance, which her husband and she held on
the

the day of his death. And she may remain in her husband's house forty days after his death, within which time her dower shall be assigned to her.

8. No widow shall be compelled to marry, while she thinks proper to live without a husband; but she shall give security that she will not marry without our consent, ~~if~~ the hold of us, or without the consent of the lord of whom she holds, if she hold of another.

9. Neither we nor our bailiffs shall seize any land or rents for any debt, while the chattels of the debtor are sufficient for the payment of it; nor shall the sureties of the debtor be distrained, while the principal debtor is able to pay the debt: and if the principal debtor fail in payment of the debt, not having the means for discharging it, the sureties shall answer for the debt; and if they please, they shall have the lands and rents of the debtor, till satisfaction be made to them for the debt which they had before paid for him, unless the principal debtor can shew that he is discharged from it by the said sureties.

10. If any one shall have borrowed from the Jews, more or less, and die before that debt is paid, the debt shall be liable to no interest so long as the heir shall be under age, of whomsoever he holds; and if that debt shall fall into our hands, we will not take any thing, except the chattels contained in the bond.

11. And if any one shall die indebted to the Jews, his wife shall have her dower, and pay nothing of

that debt ; and if children of the defunct remain who are under age, necessaries shall be provided for them, according to the tenement which belonged to the defunct ; and out of the surplus the debt shall be paid saving the rights of the lords. The same rules shall be observed with respect to debts due to others than Jews.

12. No scutage* or aid shall be imposed, in our kingdom, except by the common council of our kingdom, but for redeeming our person, for making our eldest son a knight, and for once marrying our eldest daughter ; and for these a reasonable aid shall be demanded. This extends to the aids of the city of London.

13. And the city of London shall have all her ancient liberties, and her free customs, as well by land as by water. Besides, we grant, that all other cities, burghs, town, and sea-ports, shall have all their liberties and free customs.

14. And to have a common council of the kingdom, to assess an aid otherwise than in three cases above mentioned, or to assess a scutage, we will cause to be summoned the archbishops, bishops, abbots, earls, and greater barons, singly by our letters ; and besides, we will cause to be summoned in general, by our sheriffs and bailiffs, all those who hold of us in chief, to a certain day, at the distance of forty days at least, and to a certain place ; and in

* Scutage is a military service, due to the king from tenants *in capite*. Vid. Rapin,

all the letters of summons, we will express the cause of the summons ; and the summons being thus made, the business shall go on at the day appointed, according to the advice of those who shall be present, though all who had been summoned may not have come.

15. We will not give leave to any one, for the future, to take an aid of his free tenants, except for redeeming his own person, making his eldest son a knight, and marrying once his eldest daughter ; and then only a reasonable aid.

16. Let none be distrained to perform more service for a knight's fee, or any other free tenement, than what is due.

17. Common pleas shall not follow our court, but shall be holden in some certain place.

18. Assizes on the writs of Novel Disseisin*, Mort d'Ancestre † (death of the ancestor,) and Darreine presentment (last presentation ‡,) shall not be taken but in their proper counties, and in this manner.—We,

* A writ of Affize of Novel Disseisin lie where a tenant for ever, or for life, is put out and disseised of his lands or tene- ments, rents, common of pasture, common way, or of an of- fice, toll, &c. that he may recover his right. See Jacob's Law Dictionary.

† A writ of Mort d'Ancestre is that which lies where any near relations of a man die, seised of lands, rents, or tene- ments, and, after his death, a stranger seizes them. Ibid.

‡ A writ of Darreine Presentment lies where a man or his ancestors have presented to a church, and, after it has become void, a stranger presents thereto, whereby the person having right is disturbed. Ibid.

or our chief justiciary when we are out of the kingdom, shall send two justiciaries into each county, four times a year, who, with four knights of each county, chosen by the county, shall take the said assizes, at a stated time and place, within the county.

19. And if the said assizes cannot be taken on the day of the county-court, let as many knights and freeholders, of those who were present at the county-court, remain behind, as may be sufficient to take the said assizes, according to the greater or less importance of the business.

20. A freeman shall not be amerced for a small offence, but according to the degree of the offence; and for a great delinquency, according to the magnitude of the delinquency, saving his contencement *: a merchant shall be amerced in the same manner, saving his merchandize, and a villan, saving his implements of husbandry. If they fall into our mercy, none of the said amerciaments † shall be assed, but by the oath of honest men of the vicinage.

21. Earls and barons shall not be amerced but by

* A *contenement* signified such a reservation of estate and goods, as would enable a person to pursue his trade or profession. Thus, his arms were the *contenement* of a soldier; his books the *contenement* of a scholar; and, by the laws of Wales, his harp formed a part of the *contenement* of a gentleman.

† Amerciaments were pecuniary punishments of offenders against the king. Jacob.

their peers*, and then only according to the degree of their delinquency.

22. No clerk shall be amerced for his lay-tenement, but according to the manner of others aforesaid, and not according to the quantity of his ecclesiastical benefice.

23. Neither a town nor a tenant shall be distrained to build bridges, or make embankments, except those who anciently, and of right are bound to do it.

24. No sheriff, constable †, coroner, or bailiff of ours, shall hold pleas of our crown.

25. All counties, hundreds, wapentakes, and tithings, shall be at the ancient rents, without any increase, except our demesne manors.

26. If any one holding of us a lay-fee dies, and the sheriff or our bailiff shall shew our letters-patent of our summons for a debt which the defunct owed to us, it shall be lawful for the sheriff or our bailiff to attach and register the chattels of the defunct found on that fee, to the amount of that debt, at the view of lawful men, so that nothing shall be removed thence till our debt is paid to us. The clear overplus shall be left to the executors, to fulfil the testament of the defunct ; and if nothing is due to us from him, all the chattels shall devolve to the defunct ; saving to his wife and children their reasonable shares.

* By peers are meant equals.

† A constable in former times was a person of great authority, who had the command of a castle. Thus at the present day there is a constable of the Tower.

27. If any freeman shall die intestate, his chattels shall be distributed by his nearest relations and friends, at the view of the church, saving to every one the debts which the defunct owed to him.

28. No constable or bailiff of ours shall take the corn or other goods of any one, without instantly paying money for them, unless he can obtain respite by the consent of the seller.

29. No constable shall distrain any knight to give money for castle-guard, if he is willing to perform it by his own person, or by another proper man, if he cannot perform it himself, for a reasonable cause. And if we shall have led or sent him into the army, he shall be excused from castle-guard, according to the space of time he shall have been in the army at our command.

30. No sheriff or bailiff of ours, or any other person, shall take the horses or carts of any freeman, for carriage, without the consent of the said freeman.

31. Neither we, nor our bailiffs, shall take another man's wood, for our castles, or other uses, without the consent of him to whom the wood belongs.

32. We will retain the lands of those who have been convicted of felony, above one year and one day, and then they shall be given up to the lord of the fee.

33. All kydells (wears) for the future shall be quite removed out of the Thames, the Medway, and throughout all England, except on the sea-coast.

34. The

34. The writ which is called *Præcipe** for the future shall not be granted to any one concerning any tenement by which a freeman may lose his court.

35. There shall be only one meASURE of wine through all our kingdom, and one meASURE of ale, and one measure of corn, viz. the quarter of London ; and one breadth of dyed cloth and of ruffsets, and of halberjects, viz. two ells within the lists. It shall be the same with weights as with measures.

36. Nothing shall be given or taken in future for the writ of inquisition † of life or limb ; but it shall be given gratis and not denied.

37. If any one holds of us by fee farm, socage, or burgage, and holds an estate of another by military service, we will not have the custody of the heir, or of his land, which is of the fee of another, on account of that fee-farm, or socage, or burgage ‡, nor will we have the care of that fee-farm itself, or socage,

* A writ of *Præcipe quod reddat* is, in general, an order from the king, or some court of justice, to put in possession any person who complains of having been unjustly put out.

† A writ of inquisition was directed to the sheriff, to enquire whether a person sent to prison on suspicion of murder, was committed on just cause of suspicion, or whether it were with a malicious intent. Jacob.

‡ To hold in Fee-farm is when there is some rent reserved by the lord, upon granting the tenancy. To hold in Socage is upon condition of ploughing the lord's land, and doing other offices of husbandry. To hold in Burgage is when the inhabitants of a borough pay the king a certain rent for their tenements.

or burgage, unless the fee-farm owes military service. We shall not have the custody of the heir, or of the land of any one, which he holds of another by military service, on account of any petty sergantry which he holds of us, by giving us knives, arrows, or the like.

38. No bailiff, for the future, shall put any man to his law §, upon his own simple affirmation, without credible witnesses produced to that purpose.

39. No freeman shall be seized or imprisoned, or disseised, or outlawed, or any way destroyed, nor will we try him, or pass sentence on him, except by the legal judgement of his peers, or by the law of the land.

40. To none will we sell, to none will we deny, to none will we delay right or justice.

41. All merchants shall be safe and secure in coming into England, in going out of England, and staying and travelling through England, as well by land as by water, to buy and sell, without any unjust exactions, according to ancient and right customs, except in time of war, and if they be of a nation at war against us. And if such are found in our dominions at the beginning of a war, they shall be apprehended without injury of their bodies and goods, till it be known to us, or to our justiciary, how the merchants of our country are treated by the nation at war against us; and if ours are safe there, the others shall be safe in our country.

* That is, to his oath.

42. It shall be lawful for any person in future, to go out of our kingdom, and to return safely and securely, by land and by water, saying his allegiance, except in time of war, for some short space, for the common good of the kingdom, except prisoners, outlaws according to the law of the land, and people of the nation at war against us, and merchants, who shall be treated as is said above.

43. If any one holds of any escheat, as of the honour of Wallingford, Nottingham, Boulogue, Lancaster, or of other escheats which are now in our hands and are baronies, and shall die, his heir shall not give any other relief, or do any other service to us, than he would have done to the baron, if that barony had been in the hands of the baron; and we will hold it in the same manner that the baron held it.

44. Men who dwell without the forest, shall not come, for the future, before our justiciaries of the forest, on a common summons, unless they be parties in a plea, or sureties for some person or persons who are attached for the forest.

45. We will not make men justiciaries, constables, sheriffs, or bailiffs, unless they understand the law of the land, and are well disposed to observe it.

46. All barons who have founded abbeys, of which they have charters of the kings of England, or ancient tenure, shall have the custody of them when they become vacant, as they ought to have.

47. All forests which have been made in our time, shall be immediately disforested; and the same shall

be done with water-banks which have been fenced in our time.

48. All evil customs of forests and warrens, and of foresters and warreners, sheriffs and their officers, water-banks and their keepers, shall immediately be inquired into by the twelve knights of the same county, upon oath, who shall be chosen by the good men of the same county; and within forty days after the inquisition is made, they shall be quite destroyed by them, never to be restored; provided this be previously notified to us, or to our justiciary, if we are not in England.

49. We will immediately restore all hostages and charters which have been delivered to us by the English, in security of the peace, and of their faithful service.

50. We will remove from their offices the relations of Gerard de Athyes, that for the future they shall have no office in England; Engelard de Cygony, Andrew, Peter, and Gyone de Chancell, Gyone de Cygony, Geoffrey de Martin, and his brothers, Philip Mark and his brothers; and Geoffrey, his nephew; and all their followers.

51. And immediately after the conclusion of the peace, we will remove out of our kingdom all sovereign knights, cross-bow-men, servants, and stipendiary soldiers, who have come with horses and arms to the molestation of the kingdom.

52. If any have been disseised or dispossessed by us, without a legal verdict of the peers, of their

lands, castles, liberties, or rights, we will immediately make restitution; and if a question shall arise on this head, it shall be determined by the verdict of twenty-five barons, mentioned below*, for the security of the peace. But as to all those things of which any one hath been disseised or dispossessed, without a legal verdict of his peers, by king Henry our father, or king Richard our brother, which we have in our hand, or others hold with our warrants, we shall respite till the common term of the crusads, except those concerning which a plea had been moved, or an inquisition taken by our precept, before our taking the cross. But as soon as we shall return from our expedition, or if, by chance, we shall not go upon our expedition, we shall immediately do complete justice therein.

53. We shall have the same respite, and in the same manner, concerning the justice to be done about the disforesting or continuing the forests which Henry our father, or Richard our brother, had made;

* Their names were, The earls of Clare, Albemarle, Gloucester, Winchester, Hereford; Roger Bigod, earl of Norfolk; Robert de Vere, earl of Oxford; William Mareschal, the younger; Robert Fitz Walter; Gilbert de Clare; Eustace de Vesci; Gilbert Delaval; William de Moubray; Geoffrey de Say; Roger de Monbezon; William de Huntingfield; Robert de Ros, constable of Chester; William de Aubenie; Richard de Perci; William Malet; John Fitz Robert; Willde Lanvalay; Hugh de Bigod; Roger de Montfichet; and the Mayor of London.

45

and about the wardship of lands which are of the fee
of some other person, but the wardship of which we
have hitherto had, on account of a fee which some
one held of us by military service; and about abbeys
which had been founded in fee of another, and not
in ours, in abbeys the lord of the fee hath claimed
a right. And when we shall have returned, or if
we shall desist from our expedition, we shall imme-
diately do complete justice in all these pleas.

54. No man shall be apprehended or imprisoned
on the appeal of a woman, for the death of any
other man than her husband.

55. All fines that have been made with us un-
justly, or contrary to the law of the land, and all
amerciaments that have been imposed unjustly, or
contrary to the law of the land, shall be remitted or
disposed of by the verdict of the twenty-five barons,
mentioned below, for the security of the peace, or
by the verdict of the major part of them, together
with Stephen archbishop of Canterbury, if he can
be present, and others whom he may think proper
to bring with him; and if he cannot be present, the
business shall proceed without him: but if one or
more of the twenty-five barons have a similar plea,
let them be removed from that particular trial, and
others, elected and sworn by the residue of the same
twenty-five, be substituted in their room, only for
that trial;

56. If we have disfeised or dispossessed any Welsh-
men of their lands, liberties, or other rights with-

out a legal verdict of their peers, in England, or in Wales, they shall be immediately restored to them; and if a question shall arise, let it be determined in the marches by the verdict of their peers, if the tenement be in England, according to the law of England; if the tenement be in Wales, according to the law of Wales; and if the tenement be in the marches, according to the law of the marches. The Welsh shall do the same to us and our subjects.

57. But concerning those things of which any Welshman hath been disseised or dispossessed without a legal verdict of his peers, by king Henry our father, or king Richard our brother, which we have in our hand, or others hold with our warranty, we shall have respite, until the term of the crusads, except those concerning which a plea had been moved, or an inquisition taken, by our precept, before we took the cross. But as soon as we shall return from our expedition; or if, by chance, we shall not go upon our expedition, we shall immediately do complete justice therein, according to the laws of Wales, and the parts aforesaid.

58. We will immediately deliver up the son of Llewellyn, and all the hostages of Wales, and the charters which have been given to us for security of the peace.

59. We shall do to Alexander king of Scotland, concerning the restoration of his sisters and hostages, and his liberties and rights according to the form in which we act to our other barons of England, unless it

it ought to be otherwise by charters which we have from his father William late king of Scotland ; and that by the verdict of his peers in our court.

60. But all these above-mentioned customs and liberties which we have granted in our kingdom, to be enjoyed by our tenants, as far as concerns us, all our clergy and laity shall observe towards their tenants, as far as concerns them.

61. But since we have granted all these things for the honour of God, and the amendment of our kingdom, and for the better extinction of the discord arising between us and our barons, being desirous that these things should possess entire and unshaken stability for ever, we give and grant to them the security underwritten, viz. That the barons may elect twenty-five barons of the kingdom, whom they please, who shall, with their whole power, observe and keep, and cause to be observed, the peace and liberties which we have granted to them, and have confirmed by this our present charter, in this manner : That if we, or our justiciary, or our bailiffs, or any of our officers, shall have injured any one in any thing, or shall have violated any article of the peace or security, and the injury shall have been notified to four of the twenty-five barons, these four barons shall come to us, or to our justiciary if we are out of the kingdom, and making known to us the excess to be redressed without delay ; and if we shall not have redressed the excess, or, if we have been out of the kingdom, our justiciary shall not have redressed it, within the term

of forty days, computing from the time in which it shall have been made known to us, or to our justiciary if we have been out of the kingdom, the said four barons shall lay that cause before the residue of the twenty-five barons; and these twenty-five barons, with the community of the whole land, shall distress and harass us by all the ways in which they can, that is, by the taking of our castles, lands, and possessions, and by other means in their power, till the excess shall have been redressed, according to their verdict; saving our person, and the persons of our queen and children; and when it has been redressed, they shall behave to us as they had done before: and any person of our land may swear, that he will obey the commands of the twenty-five barons, in accomplishing all the things aforesaid, and that with them he will harass us to the utmost of his power: and we publicly and freely give leave to every one to swear who his willing to swear; and we will never forbid any man to swear. But all those of our land, who, of themselves, and their own accord, are unwilling to swear to the twenty-five barons, to distress and harass us together with them, shall be compelled by our command, to swear as aforesaid. And if any one of the twenty-five barons shall die, or remove out of the land, or in any other way shall be prevented from executing the things above stated, those who remain of the twenty-five barons shall elect another in his place, according to their pleasure, who shall be sworn in the same manner as the rest. But in all

those things which are appointed to be done by these twenty-five barons, if it happen that all the twenty-five have been present and have differed in their opinions about any thing, or if some of them who had been summoned, would not, or could not be present, that which the major part of those who were provided and decreed, shall be deemed as firm and valid as if all the twenty-five had agreed in it. And the foresaid twenty-five shall swear, that they will faithfully observe, and, to the utmost of their power, cause to be observed, all the things mentioned above. And we will obtain nothing from any one, by ourselves, or by another, by which any of these concessions or liberties may be revoked or diminished. And if any such thing be obtained, let it be void and null; and we will never use it, either by ourselves or by another.

62. And we have fully remitted and pardoned to all men, all the ill-will, virulence, and resentments which have arisen between us and our subjects, both clergy and laity, from the commencement of the discord. Besides, we have fully remitted to all the clergy and laity, and, as far as belongs to us, we have fully pardoned all transgressions committed on occasion of the said discord, from Easter, in the sixteenth year of our reign, to the conclusion of the peace. And we have also granted them testimonial letters-patent of Stephen archbishop of Canterbury, Henry, archbishop of Dublin, and of the bishops above-men-

mentioned; and Pandulf, concerning the security, and the aforesaid concessions.

63. Wherefore, our will is, and we firmly command, that the church of England be free, and that the men in our kingdom have and hold all the aforesaid liberties, rights, concessions, well and in peace, freely and quietly, fully and entirely, to them and their heirs, of us and our heirs, in all things and places for ever, aforesaid. An oath hath been taken, as well on our part, as on the part of the barons, that all these things above enumerated shall be observed in good faith, and without any eyil intention, before the above-named witnesses, and many others.

Given under our hand, in the meadow, which is called Runingmede, between Windsor and Staines, this fifteenth day of June, in the seventeenth year of our reign.

Protestants, and other letters to the several counties, cities, universities, boroughs, and cinque-ports, for the chusing of such persons to represent them, as were of right to be sent to parliament, to meet and sit at Westminster upon the twenty-second day of January, 1689, in order to such an establishment, as that their religion, laws, and liberties might not again be in danger of being subverted. Upon which letters, elections having been accordingly made; and therepon the Lords spiritual and temporal, and Commons, pursuant to their several letters and elections, being now assembled in a full and a free representative of this nation, taking into their most serious consideration the best means for attaining the ends aforesaid, do in the first place (as their ancestors in like case have usually done) for vindicating and asserting their ancient rights and liberties; declare,

1. That the pretended power of suspending laws, or execution of laws, by regal authority, without consent of parliament, is illegal.
2. That the pretended power of dispensing with laws, or the execution of laws, by regal authority, as it hath been assumed and exercised of late, is illegal.
3. That the commission for erecting the late Court of Commissioners for Ecclesiastical Causes, and all other commissions and courts of the like nature, are illegal and pernicious.
4. That the levying of money for or to the use of the crown, by pretence of prerogative, without

grant of parliament, for longer time, or in any other manner, than the same is or shall be granted, is illegal.

5. That it is the right of the subjects to petition the king, and all commitments and prosecutions for, such petitioning, are illegal.

6. That raising, and keeping a standing army within the kingdom in time of peace, unless it be with the consent of parliament, is against law.

7. That the subjects which are Protestants, may have arms for their defence, suitable to their condition, as allowed by law.

8. That elections of members of parliament ought to be free.

9. That the freedom of speech, and debates or proceedings in parliament, ought not to be impeached or questioned in any court or place out of parliament.

10. That excessive bail ought not to be required, nor excessive fees imposed, nor cruel and unusual punishments inflicted.

11. That jurors ought to be duly empanelled and returned, and jurors which pass upon men in trials of high treason ought to be freeholders.

12. That all grants and promises of fines and forfeitures of particular persons, before conviction, are illegal and void.

13. And that, for redress of all grievances, and for the amending, strengthening, and preserving of the laws, parliaments ought to be held frequently.

And

And they do claim, demand, and insist upon all and singular the premises, as their undoubted rights and liberties. And no declarations, judgements, doings, or proceedings, to the prejudice of the people in any of the said premises, ought in any wise to be drawn hereafter into consequence or example. To which demand of their rights they are particularly encouraged by the declaration of his Highness the Prince of Orange, as being the only means for obtaining a full redress and remedy therein.

Having therefore an entire confidence, that his said Highness the Prince of Orange will perfect the deliverance so far advanced by him, and will still preserve them from the violation of their rights, which they have here asserted, and from all other attempts upon their religion, rights, and liberties; the Lords spiritual and temporal, assembled at Westminster, do resolve, That William and Mary, Prince and Princess of Orange, be, and be declared King and Queen of England, France, and Ireland, and the dominions thereunto belonging, to hold the crown and royal dignity of the said kingdoms and dominions to them the said Prince and Princess, during their lives, and the life of the survivor of them; and that the sole and full exercise of the regal power be only in, and executed by the said Prince of Orange in the names of the said Prince and Princess during their joint lives; and after their decease the said crown and royal dignity of the said kingdoms and dominions to be to the heir of the body of the said

Princess;

Princess ; and for default of such issue, to the Princess Anne of Denmark, and the heirs of her body ; and for default of such issue, to the heirs of the body of the said Prince of Orange.

And the said Lords spiritual and temporal, and Commons, do pray the said Prince and Princess of Orange to accept the same accordingly. And that the oaths hereafter mentioned be taken by all persons of whom the oaths of allegiance and supremacy might be required by law, instead of them ; and that the said oaths of allegiance and supremacy be abrogated.

I, *A. B.* do sincerely promise and swear, That I will be faithful and bear true allegiance to their majesties, King William and Queen Mary.

So help me, God.

I, *A. B.* do swear, That I do from my heart abhor, detest, and abjure, as impious and heretical, this damnable doctrine and position—That princes excommunicated or deprived by the Pope, or any authority of the see of Rome, may be deposed or murdered by their subjects, or any other whatsoever. And I do declare, That no foreign prince, person, prelate, state, or potentate, hath or ought to have any jurisdiction, power, superiority, pre-eminence, or authority ecclesiastical or spiritual, within this realm.

So help me, God.

THE END.

PATRIOTS

AND THE

WHIGS,

&c. &c.

THE
PATRIOTS
AND THE
WHIGS,
THE
MOST DANGEROUS ENEMIES
OF THE
STATE.

'This England never did, (nor never shall,)
Lie at the proud foot of a conqueror,
But when it first did help to wound itself.'

L'Angleterre est un grand animal qui ne peut jamais mourir s'il ne se tue lui-même.

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THE PATRIOTS,

&c. &c.

THE nation is stunned with cries of danger. In Parliament, the crisis has long been pronounced alarming, and, from one end of the country to the other, the cry is re-echoed by the drudges of sedition. The opinion of impending ruin, uttered by faction, is credited by ignorance. We dread the storm while the heavens are yet unclouded :

— Every feeble rumour shakes our hearts!
Our enemies, with nodding of their plumes,
Fan us into despair !

The motives of those who thus agitate the public mind cannot be mistaken. They resemble the banditti, exhibiting false lights, in the hope that they may derive plunder from the wreck.

A pamphlet has appeared in which are compressed most of the sentiments that have been entertained and avowed, for some years past, not only by the leaders of opposition, but by those who arrogate to themselves the exclusive right of being denominated Patriots. In common with Mr. Whitbread and Sir Francis Burdett, the author of this Pamphlet is endowed with political intuition, and political prescience; and, unless we consent to a peace, and obtain a pure representation of the people in Parliament, he prognosticates the downfal of our country; ridicules the idea that the character of Bonaparte may be an objection to peace, who is, it seems, distinguished from other men only by supe-

riority of talent, and is inferior to no sovereign in moral rectitude.

The principles professed by this writer, and the doctrines he endeavours to inculcate, though in any Englishman they must excite disgust, would, as proceeding from a mind apparently distempered and uncultivated, be treated with silent contempt, did not they recall to our recollection kindred declarations, continually escaping the lips of men, whose rank in life, and the estimation in which they are held in society, confer importance upon their opinions.

I am among those who consider as visionary a great deal of the calamity which the factious delight in predicting. Their wish is the father of their thoughts. While one party would hail with exultation the catastrophe that might deprive their rivals of power, revolution is the object of another party, who, by constantly appealing to the worst passions of the human heart, gather

around them whatever is base, ignorant, and wretched in the kingdom. They hope that they are opening the road to their own insolent and ferocious domination. The liberty for which they contend is nothing but the rein that would be given to anarchy and crime; and like the patriots of France, they expect to wade through seas of blood to absolute power. An appeal to history will shew that in every age and nation the same motives have actuated all demagogues, that those have been most incessant and vehement in their praises of liberty who were most tormented with the thirst for power. From Pisistratus to Sir Francis Burdett, a demagogue has disguised his ambition under the specious pretext of love to his country.

That our candidates of patriotism are those among us who in reality care the least about their country, or the cause of freedom, is an opinion (in the language of Benedick)

that fire cannot melt out of me; I will die in it at the stake. For the effusions, even for the intemperance, which proceed from a *general* zeal for liberty, who is not disposed to shew indulgence? That man's bosom might have glowed with generous ardour in the common cause of humanity to whom the issue of the battle of Geinappe afforded pleasure.* Many wise and good men considered with honest indignation the motives that prompted the powers of Europe to coalesce against France. There were few who fancied that from the ashes of the Bastille would arise a state of thralldom so execrable and so degrading. But I hold it impossible, that any fondness for the genuine principles of freedom should reside in the breast of him whose abhorrence of the sanguinary monster who exercises, and of the degraded nation which submits to this tyranny, does not equal the enthusiasm with which he contemplated what he vainly

hoped would prove the dawn of universal peace and happiness. In the pamphlet before me, in the speeches of Sir Francis Burdett (I speak of all his speeches without exception), in those delivered by the fusty, the rank-scented Patriots of our Forums, it is remarkable that Bonaparte, whenever he is mentioned, is mentioned, often with high commendation, and always with tenderness. Can they be enamoured of liberty who speak of such a man, even with temper? Can they be enamoured of liberty who, ascribing to his character, virtues, to which he is a stranger, seem, in their writings and orations, to repose and luxuriate on his great qualities as on a favourite theme ever uppermost in their thoughts? I would inquire of Sir Francis Burdett, who finds in Bonaparte more greatness of mind to applaud, than wickedness to condemn, how he defines greatness of mind? Is it not found in great actions well directed to a good end? That is

the true estimable magnanimity which alone deserves the name. There is indeed another species of greatness which consists in boldly conceiving a bad measure, and undauntedly pursuing it to its conclusion, and this is the description of greatness which belongs to Bonaparte. I see nothing truly great, nothing magnanimous, nothing open, nothing direct in the measures or in the mind of this midnight assassin. Shades of Toussaint, Wright, D'Englein, and Pichegru! is Bonaparte a great man? No, no; his objects are always bad, and he pursues them by the worst means. The celebrated conquerors of antiquity possessed always some distinguishing and characteristic traits of nobleness or generosity. We admire Alexander, with a soul too grand to suspect treachery, drinking from the cup offered by his physician: the clemency of Cæsar endears his memory, and even Attila was not inaccessible to

pity. But Bonaparte, who wins battles because with such troops and such generals it is impossible to lose them, is called a great man; so much does successful fraud and brutal violence impose upon mankind! Bonaparte, whose passions are all low and vulgar, who, if the perversity of fortune or the abject minds of Frenchmen had not elevated to the diadem, would, sooner or later, certainly have been convicted of petty larceny. His course is an eternal deviation from rectitude.

Such is the man who finds apologists and admirers among our “Patriots.” Indeed I do not believe that, in their hearts, they love him so much as they hate their country. France has ever been an object of their anxious and unceasing solicitude, whether struggling for independence, or groaning, as now she groans, under the yoke of an *untitled tyrant bloody scepter'd*. During the various stages of her revolution, under the successive

governments of the Constituent and Legislative Assemblies, the Convention, and the Directory, her anniversaries have been celebrated by those among us “ who dared be honest in the worst of times.” The Crown and Anchor Tavern dinners are not of a recent date. France, by our reformists, has often been held out as a model for imitation. At one time she has exhibited the glorious spectacle of a people preferring death to slavery. Now, our ministers are gravely recommended to copy the magnanimity of her Emperor. Our own government, according to the “ Patriots,” is in fact that which exercises the greatest share of tyranny. In this reign has been renewed the despotism of the Stuarts, and it is insinuated that the fate of Charles the First, or of James the Second, is merited by George the Third.—“ One of the reasons for which King James was driven from his throne was because he persisted in

keeping a standing army. Now, this evil, though of no use to the security of the country, is fostered and is ingrafted in the Administration of the Government.—The assault on the freedom of election was one, among other reasons, for the expulsion of the family of the Stuarts. Now, day after day, fresh proofs are adduced of fresh assaults on that freedom.—We behold thousands and thousands of foreigners on our coasts with arms in their hands, while a jealousy seems to exist of the natives. It is hoped we shall feel the same spirit on this occasion as that which dictated the remon-trance of our ancestors to the unfortunate Charles the First.—Our seas, in fine, are covered with exiles, and our shores stained with blood*.”

That a speech replete with these treasonable invectives against His Majesty's govern-

* Vide Sir Francis Burdett's speech at the Crown and Anchor on the 1st of May last.

ment has been, within a twelvemonth, delivered,—that he who delivered it is suffered to be at large, is suffered to live, are facts of themselves sufficient to confute the whole of its allegations. It cannot be doubted that Sir Francis, ere he opened his lips, felt he was in a land of perfect freedom. Though his observations were suited to the meridian of Paris, we may yet rest assured he would have been too prudent to give such thoughts utterance there. He whom the mere threat of a challenge can induce to retract, and to implore for pardon *, would have been careful how he delivered such a speech in a country whose shores were stained with blood. This man's letter to the electors of Westminster, on the subject of John Gale Jones's imprisonment, is of the same complexion as his speech at the Crown and Anchor. The

* Mr. Whitbread's letter to Sir Francis, and the apology it produced, are fresh in the memory of the public.

same allusion is, with equal ignorance and insidiousness, made to Charles's execution. In my mind, the only unfortunate circumstance attending Jones's imprisonment is that Sir Francis is not sent to bear him company.

As to me, I am proud that I live under the English Constitution, such as it is, and I pray Heaven I may never exchange it for the government of a licentious ferocious barbarian, whose existence is a scandal to humanity, who derives all his importance from the baseness of others, great only in his crimes, with the arrogance, insolently to call upon mankind to abjure their former opinion, to stifle every generous emotion that might exalt their nature, to consider themselves as created for his use and living by his pleasure. The French revolution produced multitudes of Burdets, Wardles and Waithmans, but under the dominion of this mischievous and fan-

tastical monster there is not one who has the courage even to whisper his complaints.

—————He that trusts you,
Where he should find you lions, finds you hares.

These “Patriots” are of that species whose clamours are heard only in calms, while the sky is clear and serene. At the approach of a tempest, they become still, affrighted; the thunder roars, and they disappear for ever. It is indeed incontrovertibly true that the voice of a demagogue is heard only where the government which he vilifies is mild and good. The amiable and benevolent Louis the Sixteenth was calumniated, insulted, murdered by those who, had they lived under the vigorous and oppressive government of Louis the Fourteenth, would have been numbered among his most servile panegyrists. The satellites that surround Bonaparte, who “watch his nod, tremble at

his frown, and at the first signal of his will, execute, without murmur or hesitation, his stern and absolute commands," are these regicide; themselves, the men who but the other day, took the oath of eternal hatred to monarchy, who boasted that if Rome had one Brutus, France possessed thousands. Our own revolutionists, who brought the unhappy and misguided Charles to the scaffold, in the presence of Cromwell "trembled and looked pale ;" and I am persuaded that if, instead of a sovereign in whose breast mercy is enthroned, the crown of England was placed upon the brow of another Harry the Eighth, humiliating addresses and adulatory odes would be voted and presented where seditious resolutions now are passed, and inflammatory speeches delivered*. With these

* Milton, whose desire to assist the Parliament in their opposition to King Charles induced, when at Naples, to have a home, who therefore, it is fair to presume, fancied him-

men, the words, *love of liberty*, are synonymous with *envious hatred of superiority*.

self a sincere republican ;—Milton, the sublimity of whose genius has not, since that age, been equalled, and whose moral and religious character is certainly not surpassed by the Reformists of our own time, could, nevertheless, use the language of adulation to him who, having murdered his king, usurped his authority. Who can hope that the modern democrats, who cannot boast of the purity of Milton's morals, would not be guilty of the same meanness?

“ We were left,” says Milton, “ to ourselves : the whole
 “ national interest fell into your hands, and subsists only in
 “ your abilities. To your virtue, overpowering and resist-
 “ less, every man gives way, except some who, without
 “ equal qualifications, aspire to equal honours, who envy the
 “ distinctions of merit greater than their own, or who have
 “ yet to learn that in the coalition of human society no-
 “ thing is more pleasing to God, or more agreeable to rea-
 “ son, than that the highest mind should have the sove-
 “ reign power. Such, Sir, are you by general confession ;
 “ such are the things achieved by you, the greatest and
 “ most glorious of our countrymen, the director of our
 “ public councils, the leader of unconquered armies, the
 “ father of your country ; for by that title does every good
 “ man hail you with sincere and voluntary praise.”

Place power within their reach, they will sacrifice to it that cause which they have a thousand times made themselves hearse with a shew of defending ; or, the acrimony with which they formerly inveighed against moderate, legitimate authority, will be equalled by the gross—the blasphemous flattery they will lavish on him who with an unlineal, but firm, hand grasps the iron sceptre of despotism.

These observations, it cannot be reasonably disputed, are to be regarded as unexceptionably constant. From history instances innumerable of their justness might be quoted ; but it would be equally superfluous and pedantic to appeal to history for the illustration of a position, the truth of which, in our own time, has been attested in letters of blood. France, by implicitly believing in the sincerity of that black catalogue of “ Patriots ;” of which some have

expiated their crimes upon the scaffold, and some now move in the tyrant's train, has bought (in the language of a great man) undisguised calamities at a higher price than any nation has purchased the most unequivocal blessings! France has bought poverty by crime! France has not sacrificed her virtue to her interest; but she has abandoned her interest, that she might prostitute her virtue.

Who shall say that our political declaimers are exempted from the frailties and vices which, perhaps without any exception, degraded those of France? It is surely reasonable to suppose that they are instigated by motives equally selfish, that, like them, they speak of the rights of the people when their real aim is personal aggrandizement. The estimable qualities which, in the private relations of life, may, I believe, be safely

perhaps consider the pledges of the sincerity of his public professions, did we not remember that in France, while the monarchy yet existed, the reputation enjoyed by Robespierre was great almost beyond all example. He was proverbially benevolent, and seemed to live for others. At Arras, his native place, he was idolized by the poor, and courted by the rich. He was always on the side of the oppressed or the unhappy, and obtained the well merited title of *L'Avocat des Pauvres*. Even when he assumed, or was invested with, the supreme authority, he preserved some traits of his former character, and was never under the influence of sordid or mercenary motives. It is possible that if Robespierre had never felt the desire for domination which, when it seizes the heart, is the strongest of all passions, he might have carried an unblemished reputation to the grave. To the

Abbé Sieyes,' and his pernicious counsels, might perhaps be traced the origin of that career of crime and blood which characterized the reign of terror; as the indecent abuse of our sovereign, and the audacious libels against our constitution, of which Sir Francis Burdett is made the organ, may be imputed to Parson Horne, a man, like Sieyes, of transcendent abilities, but sullen, unfeeling, envious, and malignant.

Such men as he be never at heart's ease,
Whiles they behold a greater than themselves.

It was natural that a man grown old in iniquity, a bankrupt equally in fortune and reputation, should court the friendship of a young baronet at once affluent and liberal; nor can it excite wonder that a long and uninterrupted intercourse with Horne Tooke should contaminate a youthful and ardent

It is within the recollection of many with what admirable art the old veteran ingratiated himself into the favour of his élève, how he publicly extolled his generous and disinterested patriotism, how he delighted to dwell on his intellectual powers, powers which at that time Horne Tooke certainly despised, and which have not yet risen much above mediocrity. What at first was only vanity in the Baronet, under the tuition of Parson Horne soon degenerated into ambition.

Sir Francis Burdett is the only one of our “Patriots” who, in respect to private character, challenges our applause. He is endowed, no doubt, with amiable qualities; but perhaps (as is remarked by the Abbé Barthelemy of an ancient demagogue) no man knows better how to turn to advantage those virtues he really possesses, and those

projects of slow execution nothing can give a more decided superiority than mildness and flexibility of character. .

Of his party Sir Francis may safely be considered the Phœnix; the remainder, I really believe without any exception, being men generally scandalous in their lives:

Fellows by the hand of nature mark'd,
Quoted, and sign'd to do deeds of shame.

Colonel Wardle, a Patriot born to scream and perish, whose popularity has been as ephemeral as his means to obtain it were disgraceful, has satisfied every impartial mind that he is not the best principled and most honourable of men. I can indeed conceive nothing much more groveling or prostituted than the mind of him who could stoop to the low arts employed by Colonel Wardle to substantiate his charges against the Duke of York. To set down in a note-book every expression which *any* individual may in an

unguarded hour have uttered! To obtain the knowledge of those expressions through the medium of what is most shameless or profligate in society! Deliberately to ransack the hiding places of a hackneyed demirep, and to purloin letters which in moments of confidence had been written!—His solemn, his reiterated asseveration that he had not seen, for two days, a woman with whom it was afterwards discovered he had passed two hours on the very morning of the day on which this fact was strenuously denied; his declaration that he had not, directly or indirectly, given money to Mrs. Clarke to induce her to appear against His Royal Highness, though he was afterwards compelled to admit he had paid her one hundred pounds; still more recently, his ignominious defeats in a court of justice, are all incontestable proofs that Colonel Wardle is not the man calculated to reform our abuses or correct our morals.

The Triton of our City Minnows, that other self-created censor of the vice and corruption of the age, exposed himself, some years ago, to a rebuke, to which, for all the wealth that both Indies might bestow, I would not render myself obnoxious. Lord Kenyon, sitting on the bench, in a cause unconnected with politics, when it was impossible his Lordship should have been under the influence of party spirit, addressed this “patriot” in these remarkable words: “After what you have sworn this day, I consider you as a man on whose testimony *I* should not chuse to pin my faith*.

Another assertor of the people’s rights, the conductor, or the principal writer, of a morning print, who daily laments the impurity and immorality of our rulers, and whose virtuous effusions shake the very walls of our forums, has stood in the pillory:

but I do not wish to pursue this disgusting detail:

For where one's proofs are aptly chosen,
Four are as valid as four dozen.

When men, without virtue or consideration, designed for obscurity and concealment, quit the sphere that nature has marked out for them, and assume the proud character of Patriots or champions of their country's rights, as they expect the applause of some, cannot hope to escape the censure of others. Public men whose morals were pure, and the powers of whose minds were of the first order, have had their motives scrutinized and their measures condemned. In what I have observed of our reformists, I have exercised a right which custom has sanctioned, and which they should be the last to blame who are in the daily practice of railing against every man most illustrious for rank or distinguished for abilities. I own that the conduct of these men "has made my

heart too great for what contains it;" nor can I repress my indignation when my country's peace is endangered by their wild and plausible theories, their cruel and unfounded calumnies, or their secret machinations. When Pericles assumed the supreme authority in Athens, and Cæsar became absolute in Rome, the dignity of their characters, or the splendour of their talents, might have reconciled many of their countrymen to their sway: but what could equal the degradation of England, did she suffer herself to be duped by such men as Wardle or Waithman?

If I share in the despondency that seems too generally to pervade, it is not because I am terrified at what is called the colossal power of Bonaparte. His power, relatively to this country, ought to excite contempt rather than alarm: so little indeed is he to be feared, that, provided we were satis-

fied with merely a defensive war, half of our navy might prudently be dismantled. It is ridiculous to talk of what his own may become, for while we deny him a nursery for seamen, his navy cannot resuscitate. He may build ships (and it is our fault if he obtain all the materials necessary to do even that), but while he possesses not sailors, he may as wisely construct balloons: he will find one as efficacious as the other. It will scarcely be urged that the danger arises from the possibility of his armaments eluding the vigilance of our fleets. The first armament may indeed effect a landing, but they will land only to swell the number of our prisoners; for surely there is no man so besotted as to apprehend danger from the efforts of the miserable bands which, in this clandestine manner, may reach our shores. The descent even of a large army would make no lasting impression, cut off as they

must necessarily be from succours or reinforcements ; forty or fifty thousand men, the number that at Talvera had their temerity chastized by nineteen thousand British, are more than we can suppose landed, by giving every scope to our fancy.—As nothing is to be apprehended from any project of invasion which the enemy may entertain, so all his endeavours to ruin our commerce have proved abortive : the returns of each and every quarter attest the prosperity of the revenue and the improving trade of England, while the restrictions of the tyrant have plunged his own vassals in misery and despair.

The real danger arises not, therefore, from what seems to menace us from abroad, but from that which threatens to befall us at home. I dread the extinction of the national spirit, and behold with some alarm the unremitting endeavours of the factious to weaken the admiration of my countrymen for their con-

stitution; to instil the idea that we have no longer any blessings worth preserving, or which might not be as fully enjoyed under any government. They have even the hardihood to assert that the conquest of England, though no doubt it would be productive of injury to those who consider the Stocks as England, or to those whose wealth is derived from the public money, would leave the bulk of our population, which it would relieve from the pressure of taxation, in a state of comparative happiness. In the pamphlet under review, these detestable principles are unblushingly maintained, and language nearly as reprehensible we are in the daily habit of hearing from the mouths of our "Patriots," or of perusing in the prints devoted to their views. In the columns of the Morning Chronicle too, a paper that it is fair to suppose contains the opinions of the *Whigs*, may sometimes be

found sentiments that would disgrace even Cobbett's Register, for Cobbett, with all his ridiculous apostacy and low scurrility, seldom forgets that he is an Englishman*. I have read in this leading paper of opposition a long and elaborate article intended to prove that it is as wicked as it is impolitic in the nations of the continent to wage war against France; that indeed it is desirable to be placed under her dominion ; the civil condition of the countries conquered by France is greatly improved, while, on the contrary, the people who have not yet participated in the blessings of French government are oppressed and miserable. Among

* I am reminded that I have not read Cobbett since his admirable papers on the Copenhagen expedition, and on the subject of our dispute with America. Latterly he has, it seems, been in the habit of praising Bonaparte ! Who can be surprised at any tergiversation in Cobbett ? I have no doubt at ail that we shall again see him a ministerial man.

the serious charges brought against ministers is the iniquity of their endeavours to oppose the progress of the French arms in Spain, since Spain has reason to receive with joy and gratitude the generous interposition of France, under whose mild and enlightened sway the Spaniards will regenerate and prosper.

To animadvert on the speeches of members of parliament is neither legal nor decorous ; yet I would resign to public execration and to the just resentment of the House of Commons, the conductors of those newspapers who have the audacity to publish, as having been delivered within its walls, sentiments than which none more unmanly, scandalous, or base, have polluted the lips of those members of the conservative senate most distinguished for gross and fulsome adulation to their emperor. Dr. Johnson humorously but justly remarks, that Shaks-

pear, (the poet of nature) though his story might require Romans or Kings, always thought of *men*; and that, when he wanted a villain or a buffoon, he went even into the Roman Senate for that which the Roman Senate would certainly have afforded him. Thus, though for the House of Commons, in the aggregate, I feel much veneration, and am persuaded that in this assembly are concentrated the best talents and the purest patriotism of the country, I am yet not so biassed by the high opinion I entertain for its members generally, as not to believe that among them are men of weak intellects and unsound principles. I cannot bring my mind to believe, however, that any man, standing up in that house, could, unreproved, have spoken in this strain:—“ I join not (no, not I) “ in the *vulgar* calumnies against “ the present ruler of France. • He is the “ first general and the first statesman

“ that ever existed. Happy the people,
“ who have him to rule over them! and
“ I have no doubt that if it should please
“ Providence to spare him a little longer
“ to the world, he will rule over all
“ people !!!”

This speech is stated to have been delivered on the 22d of this month, on a motion for thanks to Sir Robert Wilson. I would put it, therefore, to the common sense of mankind, whether it be possible that such mean praise, false as it is mean, should come from a gentleman who (since Sir Robert Wilson was the subject of debate) must have borne in mind the memorable massacre at Jaffa and the poisoning by Bonaparte of his own prisoners? In the manner these facts are stated by Sir Robert we cannot withhold from them our credence. Indeed has not the history of the great “ Statesman’s” life, since the horrid transactions of Egypt, exhibited one re-

gular series of treachery and murder? Happy, thrice happy, the people over whom he rules! Happy Spaniards! Happy Italians! Happy Dutch! Ay, and happy France, who having seen the flower of her population immolated at the shrine of his ignoble ambition, now contemplates, with sighs not loud but deep, the establishment of eight Bastiles, aptly styled spacious tombs for living men, the wretched tenants of which are never (according to the “great Statesman’s” decree) to be brought to trial, nor ever to be put upon their justification.

What I chiefly admire in the men who for the last three years have conducted the affairs of this nation, is their unqualified abhorrence of Bonaparte’s character. Their military plans of operation have not perhaps been judiciously selected, and the generals appointed to carry those plans into execution, have in two instances been worse chosen. But their *heart* was, and is, in their country’s

cause. If, instead of twenty thousand, we had to lament the loss of thrice that number of Englishmen, victims to what may have been ill judged but certainly were honest attempts to stem the torrent of French tyranny, still the injury, in a national point of view, would be trifling compared to the destruction of the public MIND, to effect which appears the object not only of the Republican but of the Whig faction. From them the people never hear the voice of gladness or consolation, nor the counsels of wise and disinterested patriotism. All their observations and all their measures have no other tendency (and from my heart I believe they are intended to have no other tendency) than to chill the hopes or paralyse the exertions of the country, and to swell the pride and increase the confidence of her enemy. They strive to fill every heart with despair or disaffection. According to the democ.ats, the country, to become worth defending, must be

rendered free, as if the envenomed scurrility of their speeches, their tavern orgies, their seditious and nightly assemblies, the unbridled licence, in short, with which they prosecute their plans against the quiet or independence of their country, did not call aloud, not for an extension of liberty, but for immediate and effectual restraints. According to the Whigs, England can (of course) be saved only by themselves. In estimating the respective merits of the present ministry and their rivals, the latter must believe that we retain no memory of their own administration; that we have forgotten the expedition to the Dardanelles, the affair of Egypt, and the scandalous apathy with which they suffered the French to possess themselves of the town of Dantzick, a place that any moderate effort on our part would have preserved, and the preservation of which might have turned the chances of war in favour of Russia. In

regard to their internal measures too, the Whigs must also flatter themselves that the nation has lost all remembrance of their unparalleled waste of the public resources ; of their having acted, on every occasion, in direct inconsistency with their professions when out of power. As was well observed by their opponents, they uniformly, night after night, pursued that conduct which, when out of office, they as uniformly decried. They were, during their administration, at least consistent in their systematic perseverance in contradicting, both in their language and their measures, all the mighty professions and high flying theories which for twenty years had characterized their opposition to government.

Never was the remark better illustrated—that people frequently acquire in political confederacies a narrow and bigotted spirit ; that they are apt to sink the idea of the general

good in this circumscribed and partial interest. How shall we otherwise account for the conduct of our opposition? England, they say, is in the very crisis of her fate; but are not all their proceedings calculated to increase, not to avert the danger? They believe that on the credit depends perhaps the independence of the country; yet, with a savage and unnatural exultation, they pronounce that her finances are exhausted: they write pamphlets, and whichever side we turn our eyes, we see it announced that the increased price of bullion proves the depreciation of the paper currency. Under any circumstance, indeed, that contributes to the prosperity of Great Britain, or which advances her glory, the opposition are fretful and impatient. Not only is our credit declining, but the courage of our people is abated. In vain do our armies, battle after battle, vanquish the foe, double in numeral

force and headed by his most renowned captains; they would tear the well earned laurels from the brows of our soldiers; with a sophistry peculiar to themselves, they convert victories into defeats; and these men, the first act of whose administration was the investing of one of their colleagues, better known by his wealth than by his services, with a place of enormous revenue, incompatible with an office he already held, have the unblushing effrontery to oppose the grant of a paltry pension to a hero, the pride and best hope of the nation, whose only fault is being connected with ministers.

That the men at present in power have committed faults, I am not disposed to deny; but to have those faults made the subject matter of perpetual debate by the *Whigs*, occasions us to smile in bitterness. Is it not as if Waithman twitted Wardle about his action against the Wrights? Incapable as the

present ministers are represented, they ought to be tolerated by those who recollect that their places would be filled by a set of men whose talents are greatly inferior, and whose patriotism is at least equivocal. There are prominent features in their administration for which they deserve praise: they may boast of their generous aid to Spain and Portugal, of their orders in council, and of their firm yet temperate conduct towards the silly and swaggering Americans. The Foxites once more in power, what would be the consequence? Fresh sinecures and places! the immediate and disgraceful abandonment of the Spaniards! every concession that America may desire! the orders in council repealed! and after these preparatory steps to prove to Bonaparte that the war, on our part, will be perfectly innocent, we shall solicit peace!

Gracious and merciful Heaven, spare my

country this last disgrace! We are engaged in a contest which, that it may not be followed by ruin, must be continued with vigour and perseverance. Peace with Bonaparte? It is the foulest degradation to which this great and proud nation (great because she is proud) can submit. The fate of Holland, of the ecclesiastical States, of Spain, abundantly proves that peace with this low born barbarian, peace sought in the spirit of peace, and laid in principles purely pacific, is really not attainable. If we are to have peace, let it be obtained through the medium of war, and war in the unqualified spirit of war. Henceforth may the effects produced by the unanimity of our councils and the vigour of our arms, eradicate from the minds of Frenchmen the disgraces of Buenos Ayres, Cintra, and Walcheren.

England appears insensible of the magnitude of her power. She does not know,

nor have her enemies felt her strength. Men like Mr. Whitbread, the first wish of whose heart is peace, who are shocked because Mr. Perceval will not (cruel man!) supply the French army with bark, will scarcely subscribe to the opinion which I cannot avoid expressing, that mercy or forbearance to France is cruelty to the human race. Sure I am, that if England, from the period when Bonaparte reached his wicked elevation, had pursued the mode of efficient warfare, I presume to suggest, the exactions and cruelties with which the tyrant has visited the fairest portion of Europe, would have been averted.

It is not within my province to examine, with Mr. Whitbread, the superior advantages that peace, abstractedly considered, offers to every nation. It is sufficient for my argument that we are at war because we *cannot* be at peace; and the question

is, therefore, whether we shall content ourselves with a plan of hostility productive of no material injury to the enemy, or whether we shall manfully put forth the mighty energies of the state, and by compelling that enemy to respect, induce him to grant us those terms of peace on which alone it can be concluded consistently with our honour and interest.

It is too true that ministers labour under great, and what to some may appear insurmountable embarrassments. Their attention is divided between Mr. Whitbread and Bonaparte ; they think as much of their own battles in the House of Commons as of the battles of their country ; and it will be a matter of eternal reproach to the opposition that, in this critical conjuncture, they seize every occasion of introducing, night after night, idle and unnecessary discussion, evidently for no object but to tease, to harass,

to wear out ministers. We all recollect the enthusiasm with which the cause of France inspired the Foxites, and the extravagance of their joy when she overcame her external enemies. If, when the Prussian army was at Rheims or Chalons, there had appeared in the National Convention a party who, vexed that they were not members of the Committee of Public Safety, regularly and systematically detained Carnot and the other ministers, debating until two, sometimes six o'clock in the morning, the "Patriots of our soil" would have thought them worthy of the guillotine. I am not ashamed to confess that this would have been my own opinion.

When their own country is menaced by the same dangers, there is no longer the same enthusiasm. All they love in the country is the Treasury Bench. Their sole desire is to get ministers out and to get themselves in. When out, their study is how

most effectually to annoy the government, and of course how best to assist the enemy. When in, we behold an indecent but unblushing scramble for places and emolument; and we ought never to forget that an electioneering contest in Yorkshire engaged their chief attention, and excited all their interest, while an important and not distant town of an ally, to the fall of which may perhaps be traced the subjugation of Europe, was assailed, and might easily have been relieved.

I am not fond of appearing visionary or wild, and will not therefore say that Ministers ought to pursue a course which, in the manner our government is constituted, may appear impracticable. I know well enough that in proportion as they humbled the pride or lessened the power of Napoleon, they would excite the envy and incur the censure of party. Yet, if a virtuous and en-

ergetic administration, possessing unshackled means, not having various and jarring interests to reconcile, nor compelled to render an account of their actions to such men as Wardle and Whitbread, were placed at the head of our affairs, I do maintain that our navy might carry dismay along the wide extended line of the tyrant's coast. As we now declare the blockade of his ports, so might we proclaim (as in our situation Bonaparte would proclaim) that the habitation of man should not be known within twenty miles of the French shores. Notwithstanding the blockade, straggling ships do sometimes enter his ports, and so might some solitary towns remain undestroyed; but the mischief that fifty thousand English soldiers, embarked on board a proportionate number of men of war, constantly hovering round his coast, sometimes divided, sometimes united, would occasion to the enemy, cannot be pro-

blematical. I would not content myself with singeing a few yards of his coast; I would destroy a great many of his towns. I would teach him to tremble at, to hate rather than, as he now does, despise, the name of England. I would revisit on his own head the horrible, the unprovoked calamities which he has inflicted on unoffending countries; and by appeasing the manes of the unhappy citizens of Saragossa, I should not doubt I was doing what was most acceptable to the God of Justice.

In this uncertain and predatory mode of warfare, in which we could always chuse our point of di-embarkation, I cannot conceive how the risque would be imminent. The enemy cannot, it is impossible he should, be every where in force. If he be strong in Dunkirk he may be weak at Rochfort, or, if strong at Rochfort, weak at Bavonne or at Marseilles. I believe I am

correct when I state that Lord Cochrane has more than once offered to take Brest with fifteen thousand men.

We ought not of course to confine our operations to the coasts of France, but to be regulated by circumstances. Wherever we could, without incurring much risque, inflict a deep and lasting injury, or wherever we might disconcert an important plan of the enemy, there we ought to present ourselves. We have seen what a single frigate achieved at Vigo. With an adequate force what wonders might not Lord Cochrane have performed in Catalonia, and how harassing to the French would be at this moment an English army floating along the shores of Andalusia or Granada? Surely we should more effectually serve our allies by adhering to this coasting warfare, which must afford many favourable opportunities of attacking the enemy, than by advancing into the inte-

rior of a country, where we can fight him only when he chuses, and consequently always on disadvantageous terms. What might not be the happy consequences of another battle of Talavera fought under the walls of Cadiz? Should this town fall, it will be an event as disgraceful to the present administration, as was the capture of Dantzick to the Whig ministry. Cadiz ought to be the Capua of King Joseph.

To those who may reproach me with recommending a plan of hostility contrary to the laws of humanity I would answer, that either we must fight the enemy with his own weapons, or, in common with those nations who have been contented with half measures, we must be prepared to receive the Corsican yoke. The description given by our historians of the ravages committed by the Barbarians who invaded the Roman empire, is applicable to this modern Goth.

THE

S P E E C H

OF

MR. PONSONBY

ON THE QUESTION RELATIVE TO THE

Privileges of the House of Commons,

AS CONNECTED WITH

THE COMMITTAL

OF

SIR FRANCIS BURDETT,

AND

GALE JONES.

LONDON:

Printed for R. DUTTON, Gracechurch Street.

S P E E C H,

&c. &c.

THE Report of the Committee of Privileges being ordered to lie on the Table, Mr. DAVIES GIDDY, who brought it up to the House, proceeded to make a motion founded upon that Report. He stated to the House three modes of conduct, either of which it might pursue, viz. first the inhibition to the courts of law in proceeding in the action—secondly, as to the committal of every person concerned in suing out the writ against the Speaker; or in serving the notice of trial (which would not pre-

bar, to the action. He therefore should move that the Speaker and Serjeant might, as there was no time to be lost, be permitted to appear and plead, meaning to follow up that motion with another that the Attorney-General be directed to defend them. The honourable gentleman, after making some further observations, moved,

“ That the Speaker and Serjeant be permitted to appear and plead to the said actions.”

On the question being put,

Mr. PONSONBY arose. He presumed that the motion just made met with the concurrence of his Majesty’s Ministers. Before he proceeded he wished to understand whether he was correct in that supposition.

Mr. PERCIVAL had no difficulty in answering in the affirmative.

Mr. PONSONBY then proceeded, and declared that if he stood in the situation of the Right Honourable Gentleman, he should not have advised the House to have placed itself in the dilemma it was now in; but being in it, he (Mr. P.) should

pular or very unpopular, but neither the fear of being unpopular, nor the love of popularity, should determine his conduct either one way or the other. He should be guided solely by what he conceived the strict line of duty which he owed to the people as one of their representatives. The case which was now under the consideration of the House was one in which the privileges, the liberties, and the power of the House, according to constitution, were involved to a certain extent. He had stated his opinion that the House was in possession of privileges which they had the right of exercising, which privileges, if endeavoured to be infringed by libel, they had the right of committing to prison the persons so offending. That was an opinion which he would not retract to gain popularity, for he would treat the King the same as he would the people, he would serve his King but he would not flatter either—he would serve both. The two Houses of Parliament were the sole judges of their own privileges and what they are. No court in the country, however respectable the Judges, could

he should maintain. The next principle was, that whenever either House of Parliament has declared its privileges, that the courts of justice are bound to pay respect and obedience to them. That he might not be accused of having advanced any hasty or rude opinions of his own as to the privileges of Parliament, he had brought with him certain law books which contained doctrines on that head which must satisfy the House of the truth of his assertion. From these books he would read such extracts as would shew that he quoted fairly. The first book was my Lord Hale's treatise on the original institution, power and jurisdiction of Parliament, a book, which, from the eminent station of the writer, must be entitled to attention. My Lord Hale therein asserts, "that the law and constitution of Parliament were founded on the law of the land, and must be taken as such—that Parliament cannot be adjudged by any other court, and that the Judges of the land had so confessed in divers Parliaments." In this opinion, which was taken from Sir Edward Coke, another eminent judge, both these gentlemen were agreed ; they dis-

ly so, but is confessedly the *Lex Terræ*. The Right Honourable Gentleman observed, that he had heard it said out of doors that these two great lawyers had too much reverence for Parliament: but their opinion was not singular, for another eminent Judge, whose opinions were so often quoted by those persons who in modern times are such advocates for the new doctrine of no privilege, was of the same way of thinking. Blackstone concurred in sentiments with Judges Hale and Coke, and he would quote from his book, in opposition to what these writers had advanced. Sir W. Blackstone says, “the privileges of Parliament are large and indefinite;—that all Judges were of the same opinion;—that in the 32. Hen. VI. Sir H. Fortescue, Chief Justice of the King's Bench, said, that the privilege of Parliament was intended for the protection of the people, against the unjust attacks or oppressions of the crown.” So far, therefore, was Sir W. Blackstone from thinking that any other jurisdiction could interfere with that of Parliament, that he states that no court can interfere with the decisions of Parliament. Those who thought that Parliament were bound to stick up a

catalogue of their privileges in the hall, might find from their favourite writer how far such an expectation was founded in reason. After such an authority he hoped he should never hear it said that the privileges of Parliament were not the law of the land. In a tract published by Sir Robert Atkins, one of the Judges of the Common Pleas, on the power of Parliament, he says expressly, "that the power of Parliament consists of three heads—Legislative, Judicial, and a counselling power, and that the judicial power they have the right of exercising in support of their own privileges." Was it a new proceeding to attack the privileges of Parliament? If any person supposed so, he was wrong, for many writers a hundred years ago had attacked them. In the case of the Queen v. Patey in which the Judges differed as to the extent of privilege, my Lord Holt was of opinion, "that if the right of privilege in all cases was to be admitted, Parliament would set no limits, and the peoples liberties might be invaded." To that opinion the other eleven Judges replied—"That it was true, but still there was no limit to their authority, for the law of the land was such, and such

were the privileges of Parliament, because the law of the land trusted that parliament would not misuse the privileges with which they were invested." At that time, it must be supposed that though my Lord Holt was a great lawyer, there were others as great: indeed, he had never heard the legal characters of the other judges impeached; they were men of sound understandings, and great constitutional knowledge. The foundation of Lord Hale's argument was built on nothing, because to say that parliament must have a limited jurisdiction in respect of their privileges, was saying what never could be intended. According to the constitution of things, there never was a government in which some discretionary power was not invested. It must subsist somewhere. If the judges of the land were guilty of malversation in their judicial capacities, the House could punish them; but where was the higher authority than parliament?—there was none. It might be said that parliament was responsible, and so they were—to the people. If the House acted wrong, the peo-

peal was made, they might remedy the mischief which the former House had created, by electing other members in their room—the remedy was not to be found in an attempt to take away their privileges—The people could, by an address to the throne, praying that the parliament might be dissolved on the ground of having abused their trust, obtain redress, and the next mode was to take legal and constitutional means of altering the construction of the new parliament; that was the way to get relief; but it was idle and silly, he said, to suppose, that parliament was to be mended by taking away its privileges.—(*Hear, hear,*) —It has been said, that the House had exceeded its privileges in committing two persons to prison for libelling them. He did not know where he was to look for their privileges except in the practice of them, and the journals furnished numerous instances of persons committed to prison for slandering the House both in words and in writings. The privileges of the House were not contrary to the law, and consequently the law had not the power or authority to direct that they should be

stopped, and this was the opinion of eminent men in former times, who as highly valued the liberties of the people as any men of the present day.

When he heard such doctrines broached as, that there exists a power more dangerous than the Crown, and that power was to be found in the privilege of this House, he would ask was any such language held in the time in which my Lord Somers lived ? Did he think that it was necessary to destroy the privileges of Parliament, in order to preserve the people's liberties ? Was not the representatives of the people then considered as the best guardians of their right ? Were they considered as the only shield to protect them against the encroachments of the crown ? At the revolution, was not that the opinion of all the most eminent lawyers ? Did not Sir W. Maynard, who, as well as Lord Somers, was a supporter of the liberties of the people, and Sir Joseph Jekyll also, a strenuous assertor of their rights, did these men, when provoked to give an opinion on the Kentish Petition, did they in consequence attack the privileges of the House of Commons, or endeavour to controul them by an act of parliament ? No ! they

found that the only means which was left to the people to preserve the constitution was, to uphold the House of Commons, and such was the opinion of the judges, and such was the opinion of the greatest men that ever lived in this kingdom,—of men who would have protected the liberties of their country at the hazard of their lives. Such was the party who, when the liberties of the people were in danger, did protect them, and dethroned the house of Stuart. When he found none of those great men *finding fault with the privileges of the House*, was he to raise his hand and tear down the fabric of parliamentary constitution—(*hear, hear,*)—With respect to the doctrine of not committing for contempt, he could not agree, for it was to be presumed, that from the earliest periods when the two houses sat together, they possessed that privilege collectively.

The Right Hon. Gentleman than referred to a case of contempt which came before the Court of King's Bench, when Chief Justice Wilmet presided. The judge was a man of admirable urbanity of manners, of great legal learning, of unexampled integrity, and warmly attached to the principles of

public liberty. He had prepared a judgment to have been given in that case, but the case did not go on to judgment. In this judgment, which Mr. P. read at some length, the Learned Judge was of opinion that the power of committal by courts of Law was coeval with the first foundation and institution of British jurisprudence. So, said Mr. Ponsonby, I contend is the privileges of parliament, and that it is founded on immemorial usage, the same as the trial by jury. With this opinion the Right Honourable Gentleman perfectly agreed.

As to what had been said about Magna Charta, and that no man could legally be imprisoned by the law of the land, unless tried by his peers, it might as well be said, that many of the laws were contrary to Magna Charta; for instance, the Canon and the Ecclesiastical Laws, which are not to be found in Magna Charta, but nevertheless they are the *Lex Terræ*, and from immemorial usage as much so as if entered in Magna Charta.—The privileges of parliament acted upon from time immemorial, were he must contend, as the *Lex Terræ* as any of the written laws; but then it has been said that House could not exercise their privileges, and commit to

prison libellers, because they would become judges, jurors, and executioners in their own cause, and Magna Charta would not permit such a mode of proceeding. This was very true, but did it ever occur to these modern writers, when they saw daily the judges of the land punish persons for contempt of Court, by committing them to prison, to question their privileges ? Did it ever occur to them that the judges were judges, jurors, and executioners in their own cause ? (*Hear ! hear !*) This, he conceived, was a pretty good argument, in reply to those who doubted the propriety of the House protecting their own rights. Yet they must know that they do exercise that right, and were they not justified in so doing ? Did these writers expect that the judges should wait for a trial by jury before they could punish for a contempt of their authority ? Were they to stand waiting at the door of a grand jury room for their finding a bill, subject all the time to the virulence of popular clamour, and without remedy perhaps for six, twelve, or eighteen months, until relieved by the verdict of a jury ?

Having stated at some length the opinions of the

most eminent men on the privileges of Parliament, he would now come to the case before the House, and state his opinions as to the line which ought to be pursued. The law of parliament, it would be seen, according to the opinion of the judges of the land, is the law of the land ; they had always thought so ; and without stating the more recent case of Oliver, he would proceed to state his humble opinions, if called upon by the House, though at the same time he must say, that ministers having placed the House in the present difficulty and having disregarded formerly the advice which he had given, had no right to call upon him now for advice.—The safe course then to adopt would be to go as near to ancient practice as possible. The course was this : supposing he was called on to give ministers his opinion he would advise them to call upon the House to commit the Attorney who sued out the process ; he would not be deterred through fear of popular clamour being raised against him.—(*Hear, hear !*)—He should conscientiously be discharging his duty both to the House and the Public ; and while so engaged

he could not fear—he would never leave it in the power of posterity to say, “Here was a man who fearful of the clamour of the few, betrayed the privileges of the Commons, and neglected to give his advice to assert what in reality are the rights of the people.”—(*Hear ! hear !*)—In giving this advice, he was conscious that the rights of the Plaintiff would not be infringed; though the parties were committed, the action would still go on. In the Court of Chancery, when the Lord Chancellor finds it expedient to issue an injunction, restraining the party from proceeding in any law courts, and the party, notwithstanding the injunction, proceeds, his lordship commits him to prison. In the present case, though it was a novel one, with respect to the Speaker, he was bound to declare as his opinion that the Speaker ought to appear in the court in which the action is brought, and plead to it. That was a proceeding which was not fraught with such great danger as might be imagined. As to the parties concerned in suing out process, they, he was clearly of opinion, should be committed. If a man, when he had the honour to hold the seals in Ireland, had

chosen to bring his action against him for committing him to prison for contempt of the authority of the court, he would have committed the attorney who sent him the notice of action immediately to prison, and then would have put in an appearance to the action and pleaded thereto, because there was nothing more distinct than committing any person for a breach of the authority of a court of justice, and the contemning the law of the land. He was of opinion that the courts below are competent to inform themselves of the cause of any action brought of the kind, but he never had heard, as was now proposed to issue from this house, a prohibition against the action being proceeded on. That was a mode of proceeding not known to the law. If he was one of the judges, and the Speaker to send him a letter to that effect, he should pay no more attention to it, indeed he was bound not to notice it, the ordinary way was to plead to the action.

There was nothing so dangerous as to strike at privileges, and the Judges might, if they attempted so to act, be blamed by the people, and be charged consistently with truth with having acted culpably and tyrannically. The Speaker, therefore, must

plead to the action, by informing the court that the House was sitting, that the House ordered certain acts to be done, that he as Speaker enforced that order, and that he did so by their authority, and that having done so by order of the House, he pleads in abatement, and denies the authority of the court to interfere. If the court after this plea goes on to examine the nature of the trespass (and here he must speak with frankness), they would exceed their jurisdiction, and be wielding a power which the law had not clothed them with—(*Hear, hear!*) but he could not for a moment imagine, that the judges had a wish or desire to interfere with the privileges of Parliament, because they would thereby be acting in gross violation of their duty, and contrary to the law of the land—(*Hear, hear!*) He trusted that he should not be accused of withholding his opinion on account of the fear of becoming unpopular. He was bound to tell the people of England that they would be most fatally misled if they formed a plan to undermine their liberties—(*Hear, hear!*) It was not because this or that vote was contrary to their opinion, that they should attempt to undermine

their liberties ; their privileges were involved by their conduct, both in this House or any other house which might sit, if they thought that opposing the exercise which the House assumed was the way to secure their liberties. But then he might be told that this assumption was too much for the people to bear. What ! was it too much for them to bear when their ancestors, certainly as high mettled, as watchful for the protection of their rights, which had been asserted by the greatest men then, at the hazard of their lives (and he trusted would be so now), bore it ?—When they declared that one power and privilege vested in the Commons defended the liberty of the people. (*Hear, hear !*) It had been argued that the Crown would protect the people's rights. What ! in a constitution framed like ours, was the Crown to be the defender of the liberties of the people ? He loved the Monarch on the throne, and was convinced there never reigned a King who possessed the affections of his subjects in a more eminent degree than the present Sovereign ; but was not the Monarch (he did not mean essentially), to a certain extent, the enemy of liberty ? Why else was

the controul of the two other branches of the Executive placed over him? And very properly, because it was not in the nature of man to love controul over his power, and therefore not natural to expect submission. The constitution very wisely had placed this check, not that he apprehended the House of Brunswick would at any future period attempt to invade the rights of the subject. In making these observations he was actuated solely by that reverence for the constitution, which, with the Monarch he loved, he was bound to support. In former times when contests had occurred, were they not between the Crown and the people? Would the unfortunate House of Stuart submit to the Parliament? And where was the security that at some distant time similar contests might not take place? The House of Commons therefore on every principle of regard to the constitution, and of duty to the people, were bound to do their duty. If at any time it should be found that the House was too much an instrument in the hands of Ministers, the remedy was easy; it was only to alter the construction of it; but never let discretionary power be wrested

from it. If the Court of King's Bench are to decide on this question of privilege, they might with equal propriety decide on all the privileges of the House, if called into question. If the Serjeant at Arms was entrusted to execute the orders of the House, and the person on whom they were to be executed chose to resist, and to beat the Serjeant or the messenger, and actions were to be entered against the party offending, the party might say—“ Why, your officer behaved impertinent, and I beat him.” And then the law courts must decide on this and all the privileges.

Was public opinion, he would ask, to be the limiter of the judicature of the House? See what would be the consequence. Why, one set of men, would start up and say, “ Well, we think that we may as well allow the House a few privileges.”—Up starts another set and exclaim, “ Oh you have done wrong, they ought to have no privileges, and none we will allow them.” So between these factions at their bidding against each other at this auction of popularity the House sinks into contempt.—(*Hear, hear!*)—He hoped, however, the House would continue to be the assertor

of the rights of the people, against the inroads of the Crown, and not give way to these factions which were starting up, if they did they might expect to succeed a sort of democracy, than a proscription amounting nearly to extinction, and last of all nothing.—(*Hear, hear!*)—The House would recollect the fate of former Parliaments; they would remember how all good men combined together to prevent the fate which awaited Charles the First, when they compelled him to quit the throne; to them succeeded a set of men professing to have nothing but the liberties of the people in view, when the unfortunate Monarch was proscribed, the cloak was cast aside, and then it was seen that their only object was their own selfish gratifications.—(*Hear! hear!*)—That when they talked of liberty, they meant despotism; and that when they sought the Lord they found the Crown.—(*Loud cries of hear! hear!*)—“If the people of this country chose to be misled (said Mr P. in conclusion) they may expect to suffer calamity greater than that I have described; but if they do suffer they will suffer unpitied, unregretted, and unrelieved.”—(*Loud cries of hear! hear!*)

This Speech, from the luminous, constitutional, and convincing arguments it contains, on a great national question, is particularly recommended to the Subscribers to the HARLEIAN MISCELLANY, as worthy of their attention, to form a part of, and bind up with that important selection of National Records, now publishing in octavo.

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THE DIAMOND CLAW DIAMOND

OBSERVATIONS

A PAMPHLET, ENTITLED "A REVIEW OF THE CONDUCT
OF HIS ROYAL HIGHNESS THE PRINCE OF WALES,"

COMPRISED

A FREE AND IMPARTIAL VIEW

OF

MR. JEFFERYS,

AS A

TRADESMAN, POLITICIAN, AND COURIER,
DURING A PERIOD OF TWENTY YEARS.

BY PHILO-VERITAS.

"Tis certain, Greatness, once fallen out with Fortune,
Must fall

SHAKESPEARE.

Fourth Edition,
CONSIDERABLY ENLARGED.

LONDON:

PRINTED BY E. McMILLAN, BOW-STREET, COVENT-GARDEN,
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RUSSELL-SQUARE; AND T. OSTELL, AVE-MARIA LANE,
ST. PAUL'S.

1806.

TO THE READER.

IT was some days after Mr. Jefferys' pamphlet appeared in circulation, before it came into my hands. On perusing it, I instantly saw through the motives of the writer ; and, after due consideration of the subject, and having the necessary resources of information for an Answer, I commenced the following observations, from a conviction that I could not fight in a better cause, than that of an injured and libelled Prince.

PHILO-VERITAS.

TO

NATHANIEL JEFFERYS,

HOUSE AGENT,

PALL-MALL.

SIR.

IN a Letter in the Morning Post of Saturday, July 19, 1806, you observe, that a Pamphlet, published under the title of "*Diamond Cut Diamond*," contains scarcely any thing but *falschood*, gross misrepresentations, and much *scurrilous abuse* of your *character*. It appears that you, who have been *so profuse* in *falsehoods*, *misrepresentation*, and *caluny*, cannot patiently hear truth, which you will find it difficult to controvert; and, though you like to throw stones at your neighbours' windows, you cannot bear to see your own

most books, and the light lay in on all
the ~~written~~ actions of your life. It is not my
intention to enter into any justification of
the contents of my Pamphlet, through the
medium of respect and honour those valuable vehicles of
public information. I therefore shall re-
serve myself for your third publication,
and then I shall take the liberty to inform
you, that you have forgotten many trans-
actions of your life. If you suppose I shall
publish the names of those Gentlemen who
are my authorities for the various anecdotes
in the above Pamphlet, *to be used at your
pleasure* in any of your publications, you
deceive yourself, as you have done before.

You have attempted to frighten my
Printer and Publisher with threats of a
prosecution: should you have the hardi-
hood to carry your pretended injuries into a
Court of Law, I shall be prepared to de-

fend and justify the contents of my Pamphlet, and that is as much as any reasonable man can expect of me.

You speak of the consequence of your character : but, alas ! one of your *favorite* females might as well boast of her *virtue* ; — and the one is just as good as the other. Your folly and extravagance have RENDERED YOUR SITUATION IN LIFE DESPERATE, and it is of little consequence to Mr. Jefferys now, what he *says* or *publishes*, as long as money can be obtained by repeated LIBELS on His Royal Highness the Prince of Wales and friends.

I will now go a little further than I have hitherto gone, and inform you, that according to the letter and spirit of several Statutes now in full force, your scandalous attack on His Royal Highness was the *act of a FELON* to extort money; and if Roy-

CONTEMPT should exempt you from a prosecution, it will not in the least alter the opinion the Public have formed of your deserts.

I will shew the Public that the Earl of Moira had good cause for considering you in the light of a Felon. You have been prudent enough not to publish the two last Letters you wrote to His Royal Highness, which contain a demand of Two Thousand Pounds, with a threat of publishing "A Review of the Conduct of the Prince of Wales," if the above specific sum were not immediately remitted to you.

I defy the contradiction of this Fact, and I leave the Public to judge whether such an application to the Prince, was not the act of a Felon?

I am, Sir,

Your humble servant,

PHILO-VERITAS.

66, Pall-Mall.

DIAMOND CUT DIAMOND.

THE example of a neighbouring nation has given irrefragable proof of the danger which is attached to any effort that is made to poison, and alienate, the affections of a People from their Prince. If Princes are liable to the calumny of every vain, wanton, and disappointed man, the public will in time lose that reverence and respect which a people ought to manifest for their governors. Neither Prince nor Laws can long retain their proper tone of power, when the people relax in their respect for them.

The body politic will soon become a mouldering system, inflated with perpetual dissention and discord, when its subjects are taught to look at Princes, as characters possessing qualities of the human heart.

character of my wife, and the
HIS FAMILIAR FRIENDS AND PRESERVE
won constitutes all those blessings peculiar to
English liberty, and whose safety, dignity, and
honour, is so united with the safety, dignity,
and honour of the subject, that when the
one ceases to exist, the other must cease to be
happy.

Non posidentem multa vocaveris
Recte beatum: rectius occupat
Nonnen beati, qui Deorum
Muneribus sapienter uti
Duramque callet Pauperiem pati
Pejusque Letho flagitium timet.

HORACE.

Under these impressions, and actuated by these
pure motives, I have become an opponent to
the contents of a pamphlet lately written by Mr.
Jefferys, of Pall Mall.

As this Writer has laid himself open to free
animadversion, from the publicity he has given to
sangied injuries, he must not take umbrage if I
should penetrate a little beyond the surface, and

will, in his cooler moments, make me regret the day he first aspired to any office beyond that of his own compting-house. His pursuits in the years of his youth, can be of no moment in this discussion*: I therefore commence my first view of his conduct in the year 1783, when he was understood to have been a man of some respectability.

From this period, I shall trace his progressive movements to the present hour, and I hope with a just but spirited pencil, shall delineate the unbridled passions of his mind, and trace the cause

* As Mr. Jefferys, however, appears so fond of Biographical Anecdotes, it will not be improper to mention who he was, before he had any concerns with His Royal Highness the Prince of Wales. He is the son of the late Mr. Jefferys, a cutler near Beaufort-buildings, in the Strand. At the age of fourteen he was bound an apprentice to a silversmith (a relation) in Cockspur-street, where, for a short time after the expiration of his articles, he performed the duties of a shopman. His father afterwards advanced him something less than four thousand pounds, which set him up in business at the corner of Dover-street, Piccadilly. His connexion, and the extensive credit he obtained, were first owing to the favour of His Royal Highness the Prince of Wales.

of those misfortunes which he has ungenerously and ungentlemanly attributed to His Royal Highness Prince of Wales. In those happy days Mr. Jefferys was conducting the business of a jeweller and goldsmith, and had he made a prudent use of his connexions, he might have realized a fortune in a few years. But the moment His Royal Highness was numbered in the list of his customers, Mr. Jefferys became another man; his mind was not of a texture strong enough to retain the same notions which he would have possessed in doing business with any gentleman of less dignity than the Prince of Wales. The elegant and polished manners of His Royal Highness, and that ease and affability of address which characterize this illustrious personage, poor Jefferys took for proofs of equality and permanent friendship; and thus, after a few interviews, he thought he got his foot on the first step of a ladder that would, one day or other, raise him to something little less than the *Premiership of England*.

"Out of thine own mouth will I condemn thee."

"His Royal Highness received me with great kindness of manners, and so completely

captivated me by his condescensions, that, young and credulous as I then was, I imagined my fortune made by his smile*."

If he had wisely taken a view of his comparative situation with the Prince of Wales, before he had presumed to obtrude himself as a companion, he would have shown as great a mind as honest *Job Thornberry*, in Colman's excellent Comedy of *John Bull*. When *Sir Simon Rochdale* asks him to take a chair,

"I thank you, Sir Simon, I know my proper place," &c.
but this was not the case—the moment His Royal Highness smiled on him, Jefferys neglected his shop for Carlton House, and increased in altitude two feet—at least he became tall enough to look over the heads of his former friends and

* Some time after Mr. Jefferys was received at Carlton House, His Majesty laboured under severe indisposition, and Mr. Jefferys gave it out, that in case the country should lose its beloved King, he should fit up a little room at the back of his shop in Dover-street, to receive His Royal Highness the Prince of Wales, where, he had no doubt, the *secret affairs of the State*, would be daily adjusted, and that his talents would be employed in some office of importance immediately under the First Personage of the Crown. "O Natty Jefferys! Natty Jefferys O!"

domination. It is a known fact, that Mr. Jefferys, every opportunity of following him, and the way of the Prince, for Royal notice, had many persons have observed, he got tall and thin, as he became the Prince's shadow. While Mr. Jefferys was for years neglecting business to pay his court at Carlton House, and using all the seductive arts of a flatterer to raise himself to some honourable post in the State, it would not have become His Royal Highness to have said, "Mr. Jefferys, I do not presume to question the state of your affairs, but if you are continually at my doors, and in all my walks, I am afraid your shop and business will not continue long in a flourishing state." This was the duty of Mr. Jefferys to have Inquired into, and not of the Prince of Wales to point out.

What a contrast may be drawn between Mr. Jefferys and the wealthy Citizens of London, who, though frequently honoured with the lustre of His Royal Highness's society, and mix in his gayest circles, yet make a prudent and modest use of his company, politeness, and favours, and are not continually obtruding themselves at the expence of that time, which, properly employed,

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is the support of their consequences. Every person at all acquainted with the nature of trade, must know, that if a shopkeeper does not dedicate his time to the proper adjustment of his books, and be ready behind the counter to attend his customers, his servants will in all probability fatten on his misfortunes, and afterwards visit him in a gaol in the character of an equal; and give him relief out of his own property. There are many shades of light in which Mr. Jefferys' conduct as a tradesman may be shewn, to convince the most rigid sceptic, that his *vanity* has been the cause of his ruin, and not his *money concerns* with the Prince of Wales. When he had once found access to the private chamber of His Royal Highness, and sneaked into his confidence (which he has now meanly, ungentlemanly, and dishonourably violated, to gratify an unprofitable revenge), his former establishment as a tradesman would not do the same company he was once happy to see at his festive board, were now not high * enough in

* Mrs. Jefferys is a lady highly esteemed for all those qualities which distinguish the virtuous, prudent, and amiable wife; and her relations are persons of the first respectability.

rich, for his new connexion, "consequently every thing expensive was purchased to correspond with the character and dignity of his visitors."

In a town and country house, table, servants, &c. necessary for the reception of his elevated companions, must have made a very considerable difference in his yearly expenditure; and where elegant dinners were often given, the clear income of Mr. Jefferys must have been very great, or the natural conclusion of any rational man must be, that principal, and not profit, went to defray the extravagant expences of his folly. A tradesman who resides within the circle of fashionable life, must know that business cannot be done among the Nobility without giving long credit, and if his capital is ever so large, he ought to be a close attendant to business, and a man of proper economy, otherwise he may soon be numbered

and property in the City of London. To shew the silly vanity of Mr. Jefferys, I must beg leave to observe, that, with the exception of one relation, who is now Common Serjeant of London, he held his wife's family in the utmost contempt, from their being *Citizens*. Since, however, his fancied consequence is diminished, he would often have been thankful for their friendship and voluntary services; but, knowing the man, they despise his conduct, and only notice him on account of his wife being their sister.

attaches to his articles for seven years, is generally very handsome interest for the use of his money. I am, therefore, not surprized that the Nobility do not feel for men of this description, when they see a jeweller keeping the establishment of a Prince, and giving the dñrs of a King. Having traded Mr. Jeffery's from the fountain of his folly, into the rapid current of his own ruin, which has led him to his last desperate act of publishing a voyage pregnant with nothing but audacity and imbecility, I shall now beg leave to combat the various passages of his work, and give my free opinion of the propriety of his motives. He commences his attack on His Royal Highness, in these terms: "The task which necessity (arising from oppression) has imposed upon me is not difficult, supported as I am, by the justice of my cause, and confident in the liberal feelings of the pub-

lie upon a case of such peculiar hardship, as, perhaps, never before engaged their "attention." He places the cause of his pamphlet to necessity. I should be glad to know, whether the public called upon him to publish his case for universal *pity or relief*, or with a view to participate with him in a malicious attack on His Royal Highness, whose elevation of character is Mr. Jefferys' protection. I believe the intelligent and liberal part of the world will think with me, that Mr. Jefferys has done himself no possible good by his publication, with the exception of a small sum of money he may get by his authorship.

The threat of publication which Mr. Jefferys held out to His Royal Highness, only met with the contempt and indignation such conduct deserved ; sensible as the Prince of Wales must have been, that any publicity given to their money concerns, would shew Mr. Jefferys to be, what every honourable man has a ready name for. Did Mr. Jefferys suppose, after a violation of confidence, and the indelicate and ungentlemanly use of a Lady's name (whose sex ought to have protected her from insult), that he would repair

the supposed losses he complains of, by the little paltry means he has taken in calling public attention to the exposure of his own destructive ambition?—if he did, I pity his weakness. But it is pretty evident he did not expect a reconciliation with His Royal Highness, consequently his only motive was to ferment the public mind with an idle tale of his misfortunes, and insult the feelings of two personages, one of whom, as a female, cannot defend herself, and the other, as a Prince, cannot condescend to soil his fingers in an affray with a libeller. Mr. Jefferys well knew, that the situation of His Royal Highness, and his female opponent, constituted his shield of personal safety. The knowledge of personal security to a man of an honourable mind, would be alone a sufficient reason not to give an insult, when the situation of the parties precluded the possibility of avenging the offence. To shew in the clearest possible point of view, that Mr. Jefferys' pamphlet was the offspring of a malicious mind, and not, as he says, the creature of necessity *to defend his character*, I dissect the following paragraph.

“ Though not a difficult task, it is neverthe-

less a very painful duty, to be compelled as I now am, in defence of my character, which has been most severely reflected upon (and nothing less than such a feeling could lead to such an act), to bring forward, in no very amiable point of view, the conduct of a personage so exalted in rank as His Royal Highness the Prince of Wales."

It appears from the above, that he has been most severely reflected upon : that may have been the case ; his friends would naturally condemn a tradesman for keeping the expensive company of persons so far above his station in life, without any fortune but that arising from his shop ; and his creditors, would also censure his conduct for having supported the establishment of a nobleman with the money that ought to have been appropriated for the satisfaction of their demands. Mr. Jefferys feeling the justness of these rebukes, accounts for the sentiments of this parenthesis (and nothing less than such a feeling could lead to such an act), which in plain English means, that he was become desperate with his folly and weakness, and to appear in proper character he committed a desperate act, which has shewn him

in a less amiable point of view than he can possibly place His Royal Highness the Prince of Wales.

Mr. Jefferys has observed, that he got the favour of His Royal Highness in consequence of Mr. Gray, an eminent jeweller of Sackville-street, having requested a settlement of the great demands he had at Carlton House. Had any one of less consequence than His Royal Highness expressed an inclination to enter his name in Mr. Jefferys' books, he would have shook his head and said, "No, Sir, I cannot think of that; you have left Mr. Gray because he applied to you for money; and as it is inconvenient to you to settle any part of his bill, I must beg leave to decline the honour of opening an account with you." Mr. Jefferys knows very well that would have been the case; indeed I am inclined to believe he would have used almost the same language to His Royal Highness, if his ambitious mind had not pointed out to him prospects far above a jeweller's shop. If the public think Mr. Jefferys opened an account with His Royal Highness with no other view but that of getting a good customer, they are very much deceived—

every thing he did to accommodate the Prince of Wales, was accompanied with *motives* of the most *ambitious avarice*. If the Prince of Wales could have raised him to the Chancellorship of England, Jefferys would have purchased his robes and wig, and taken his seat in his respective Courts and the House of Peers, in defiance of the ridicule and opposition of the whole nation.

Amidst all his plausible invective against His Royal Highness the Prince of Wales, he now and then is candid enough to acknowledge that he made it his business to be about the person of the Prince. "From this time not a day passed for several years, in which, neglecting my general business, I did not spend half my time at Carlton House." How could any thing but ruin follow such improper conduct; it was not only unjust to himself, but equally so to his wife and family; even the warning of his friends had no effect on him; he was determined to be something *very great*, or *nothing*; — *atit Cæsar aut nullus!* and his publication clearly shews that this progress in life has been a retrograde motion.

" Whatever feelings of the most devoted at-

tachments I had hitherto entertained for the Prince of Wales." I cannot suffer this sentiment to pass unquestioned. Mr. Jefferys had no attachment for His Royal Highness at this, or any subsequent time, as I shall shew from the whole of his conduct towards his Royal Patron. Instead of "the most devoted attachment," he meant the "most devoted sycophancy," which is the real sense of his language. He then goes on to say, in the same paragraph, "a circumstance occurred, the particulars of which I am now about to relate, and which sealed and confirmed all my ideas as to the perfect confidence which might be placed in the assurances of His Royal Highness, as to the future protection of me and my family, should (which I then little thought would be the case) any misfortunes overtake me, and make a resort to such protection necessary."

If Mr. Jefferys had published this account correctly, it would then be clearly seen, what even his ingenuity has not been able to conceal in the above observations, that all his efforts to oblige the Prince of Wales, carried with them exorbitant claims on His Royal Highness for

himself and family, which he has qualified in these words—"should any misfortunes overtake me?" The sense of the paragraph implies, that he did not care what became of his business, or how he made use of his *creditors' property*, as long as he could obtain the shadow of a hope that he should, one day or the other, rise to some *office of eminence* in the country.

He has now found out, from what follows in the succeeding paragraph, that it was a great want of foresight in him to form "such conclusions as he then did ;" and he goes on to say, he was "deluded and misled." Yes, he was deluded and misled; but, if a man will shut his eyes and walk over stones, he must expect to break his shins. *His insatiable ambition*, was the deceptive mirror which magnified noids and smiles into specures of honour, and Royal affability into solid friendship.

If any sincere friend had taken the liberty to have addressed him in the following terms, Jefferys would have spurned him for ever.

" MY DEAR JEFFERYS,

" I have with the utmost pain observed your folly for several years past; you have starved yourself, from having had

fret access to the chamber of His Royal Highness, the Prince of Wales, that you could command anything your mighty and ambitious heart desired; and having accommodated His August Personage with various articles to a considerable amount, you have foolishly thought he dare not refuse you any object of your wish. The debt already contracted will, no doubt, be paid one time or the other; and if you immediately return to your counting-house, and attend to its necessary concerns, His Royal Highness's account will not hurt you; but while you, as a tradesman, are always following a Personage so much your superior in station, the public will feel no inclination to employ you, as they will naturally think you are above your business, or that you will charge such exorbitant prices for your articles, as will go a great way towards paying the debts of others. My dear Jefferys, it is not too late to exert yourself; I think no more of the politics of Cabinets, Parliamentary Opposition, and Circuses; but by your professional assiduity do your best for your creditors, family and self, and once more try to walk humbly before your God."

Mr. Jefferys proceeds to inform him that in the year 1790, His Royal Highness sent for him, and said, "He had a great mind to set up a school, to instruct the poor."

sent by His Royal Highness to the creditor making such demand, to desire it might be placed to the Prince's account. This was refused to be done, on the ground that Mrs. Fitzherbert, being a woman of no rank or consideration in the eye of the law, as to personal privilege, was amenable to an immediate process, which was not the case with His Royal Highness. This the Prince stated to have caused in his mind the greatest uneasiness, for fear of the consequences that might ensue, as it was not in the power of His Royal Highness to pay the money then, or to name an earlier period for so doing than three or four months. The request His Royal Highness had to make to me was, that I would interfere upon the occasion, and prevent, if possible, any personal inconvenience to Mrs. Fitzherbert, which would be attended with extreme mortification to the feelings of His Royal Highness.

Mr. Jeffery assured His Royal Highness that he would do all he could in the business; and when Mr. Jeffery returned to Carlton House on the

which he had that morning paid, being, as he says, "the only effectual means of pacifying the creditor, and removing from the mind of His Royal Highness the anxiety under which he appeared so strongly to labour."

There is an old remark, which Mr. Jeffery's conduct has fully verified—"never receive a favour of your inferior, or he will cancel the obligation by the publicity he gives to his kindness." Was there any thing criminal or improper in the Prince of Wales asking the temporary assistance of his tradesman? whose extensive business warranted every probable conclusion that he could not be without a few hundred pounds at his command, and who kept up his consequence as long as he could, by the appearance of great wealth: a man too, who was daily choking His Royal Highness with professions of reverence and attachment; and who was hourly receiving His Royal Highness's favours, and the benefits his illustrious influence had given him in the highest circles of life.

But to proceed a little farther in my remarks on this mighty favour, for which Mr. Jeffery's would scarcely have thought me Treasurer of the

Mr. Jefferys may have paid to the Duke Prince of Wales £1585l. 11s. 6d.
 for which General Jefferys reported to Mr. Jefferys at
 the end of three months. As Mr. Jefferys does
 not inform the public whether he received any
 legal interest for the use of his money, they may
 make their conclusions on that point. But to
 speak hypothetically, suppose he did not receive
 the legal interest of five per cent. for the use of
 the above money, then the *whole of the favour*
conferred on the Prince of Wales is the amount
 of the sum which 1585l. 11s. 6d. will pro-
 duce, at the legal interest of five per cent.; for
 to accuse a man of Mr. Jefferys' liberal and en-
 larged mind of *unurious motives*, would be un-
 just, therefore five per cent. for the use of the
 above sum for three months, is, according to
 loose calculation, about twenty pounds.

In a subsequent part of his pamphlet he also
 mentions having a second time accounted
 His Royal Highness with a sum of 400l. which
 was paid him in the course of fifteen months,
 the *interest* of which does not exceed thirty
 pounds, though the original sum may const-

introduce any one to understand the difference between
things far beyond the value of five per
cent. for the temporary service he had rendered
to His Royal Highness. Read, and then judge;
“I am of opinion that the payment of interest
will not be considered by the world as discharg-
ing the obligation, however it might do the
debt.” Mr. Jefferys forgets, that at this very time
he had *the enormous sum of one hundred pounds*
clear profit out of every three hundred pounds
worth of articles sent to Carlton House. But
more of this presently.

I am confident there is no person so incredu-
lous, as to suppose His Royal Highness could
not have got the money in question through
any other medium than that of Mr. Jefferys,
for if His Royal Highness had felt a delicacy in
asking any of his noble friends and associates
for the loan of this sum, he knew very well that
this town abounds with persons who live in re-
pute by accommodating the public with money
at a moderate interest, when their property is
well secured. The Prince of Wales might
very naturally think (as Mr. Jefferys continually
professed to be flattered with the honour of)

any affair of service for His Royal Highness; there could be no impropriety in his descending to make Mr. Jefferys of temporary service in an affair of Secrecy. — But Mr. Jefferys has made publick the personal opinion of him. His ambition has induced him to tell the world, that His Royal Highness honoured him with his confidence, and the malignity of his nature has prompted him to give publicity to a circumstance that could not have escaped the lips of a gentleman, under any circumstances. Whenever a man is induced to accuse another of a real or an imaginary injury, he ought to couch his sentiments in the most simple and clear terms, otherwise the reader will be constantly in the dark as to the true meaning of his author. — Mr. Jefferys has said in the following words— "His Royal Highness was unbounded in his expressions of satisfaction at what I had accomplished" (meaning the payment of Mrs. Fitzherbert's account, &c.), "and in his assurances of future support." These words round about every period in his pamphlet; and, it must be observed, that they are indefinite terms. I confess I do not know whether Mr. Jefferys

ever took; or make him inspector
the petitions of fraudulent debtors—
for which his knowledge and talents are pecuni-
arly qualified; or make him keeper of the hounds
in the Tower, where he might learn dignity of
demeanor, and improve the natural ferocity of
his nature; or make him Peeping Tom of Co-
ventry, where he would pry into the secrets of
the great, and then tell the whole town what he
had seen and heard.

To resume my serious view of this man's con-
duct (which scarcely deserves any thing but con-
tempt and ridicule), I must beg leave to observe,
that Mr. Jefferys has been *cunning enough to*
conceal from the public the nature of the support
which, he says, the Prince of Wales so repeat-
edly promised him. But shall I unfold this
great secret, and tell him and the world, that
His Royal Highness's promises never implies
any thing more than a support of Mr. Jefferys.

as *A man of business?* and that, of course, could only be understood to continue while he had *the art* of behaving as a tradesman ought to do towards a Prince; particularly a personage whom I will presently shew, has been the best customer Jefferys ever had: whether he has made a prudent and wise use of his Illustrious Patron, is another matter. If he had not assumed *the fine gentleman*, but preserved the character of a respectable tradesman (which he was only fit for), poor Jefferys would have been at this time *a man of mettle*; but now, alas! he has no more brass than what the Prince of Wales has recently found in his face, and the public in his pamphlet.

Mr. Jefferys proceeds to say, that the Prince of Wales and Mrs. Fitzherbert waited on him for the express purpose of returning their thanks for his having set their minds at rest with respect to the 1500*l.* just mentioned; but it appears, that, however great the condescension and politeness of the Prince of Wales was to him, nothing short of some great office in the State could appear the cravings of his vicious appetite.

Now comes a paragraph that requires my particular notice; and I believe the candid reader will think with me, that, it will shew the very slight grounds he had for unwarrantably introducing to public notice the character of a beautiful and amiable woman.

" As to what passed at my house when His Royal Highness came there with Mrs. Fitzherbert, a person, still in my service, was present, and to whom I remarked, immediately as the Prince and Mrs. Fitzherbert had quitted it, that if ever I should have the misfortune to lose the Prince's favour, I should have cause to lament the day when Mrs. Fitzherbert was under the necessity of thanking me for a service performed to her ;—an observation I was induced to make, from the mortified pride visible in the countenance of that lady."

First I have to observe, that the obligation (if any) was due from Mrs. Fitzherbert to His Royal Highness, and *not from her to Mr. Jefferys*, consequently she had no rational cause to feel mortified on the occasion; nor is it likely that Prince of Wales would have requested her to accompany him to Mr. Jefferys' dwelling; if it had

~~most unpleasant~~ to her feelings, particularly as His Royal Highness had acknowledged Mr. Jefferys' act of civility in the morning, when he took the receipt to Carlton House for the money paid.

It clearly appears Mr. Jefferys did not know how to account for the scandalous and malicious introduction of Mrs. Fitzherbert's name in his pamphlet, without making her the *convenient cause* of all his subsequent ill-favour with the Prince of Wales. In order, therefore, to have an opportunity to libel an amiable Lady in conjunction with His Royal Highness, he assumed the character of a physiognomist, who could discover all the secrets of the heart from watching the movements of the eye, the dilation or contraction of the brow, and all the muscular actions of the face; and thus to give a specious colouring to an unmanly act, it answered his purpose to fancy a visible enmity in her face, which he dates as the cause of his ruin. But Mr. Jefferys should know that there are people in this town who can strip the veil from off the artfully constructed *period*, and exhibit the impurity of the writer in all the glaring colours of his native ini-

quity: I have not yet done with the above paragraph.

Mr. Jefferys observes, that the moment the Prince and Mrs. Fitzherbert had left him, he told his *servant* that he should lament the hour that Mrs. Fitzherbert was under the necessity of thanking him for any service conferred on him.

What opinion must the public have of a *man's mind and habits*, who would make his servant a confidant on such a delicate subject as the one before us.

I beg leave to inform Mr. Jefferys, that when he lost the patronage of the Prince of Wales, it was owing to the *weakness of his head*, and the *volutility of his tongue*.

" If a fool knows a secret, he tells it because it is a secret; if a knave knows one, he tells it whenever it is his interest to tell it."

LORD CHESTERFIELD.

Servants, house-agents, money-lenders, and persons of all descriptions, knew all the secrets of Carlton House, that it was in the power of Peeping Tom of Coventry to obtain in the daily walks of his curiosity. There was not a person, high or low, rich or poor, who had any thing to

with Mr. Jefferys, but what have heard him tell a plausible story of his concerns with His Royal Highness, and always at the expence of the Prince's honour and reputation. He artfully thought that his *general and uniform story* against the Prince's liberality to him, would obtain public pity; and get his creditors' mercy and forbearance; so that he has literally lived like a viper, and never opened his mouth but to cast out poison.

This man is a pretty character to bask in the sunshine of Royal favour, and inhale the air of a palace, when his servant is the repository of his secrets, and perhaps the monitor of his actions. If the reader will take the trouble to reflect a little on the above paragraph, he will perceive that Mr. Jefferys had the materials of a pamphlet in contemplation at that period, and perhaps from the very first moment his acquaintance commenced with His Royal Highness the Prince of Wales; as he appears to have noted every circumstance that occurred, in case he should not succeed in obtaining the objects of his ambition, he then would possess a chain of trifles, out of which he could compose sixpenny-worth of trash on the *virtues and good qualities of his own nature.*

The following passage will shew that his motives in accommodating His Royal Highness were of the most mercenary kind, and such as the most greedy and unfeeling usurer would blush to have thought of :

" The only return made by Mrs. Fitzherbert, (for what was also acknowledged by her as a great obligation) was the purchase at different times of goods in which I dealt, to the amount in the whole of 120l."

He then goes on to observe, that he waited a considerable time for his bill, which General Hulse settled by order of His Royal Highness ; but Mr. Jefferys ought to have told the public, that the profit on the articles delivered to Mrs. Fitzherbert, was more than interest for the use of his money for several years. So much for the great favour he boasts of having conferred on the above Lady.

At the time the Princess of Brunswick and His Royal Highness were about to be united in the bands of holy wedlock, Mr. Jefferys was (by his own account) much about the person of His Royal Highness ; and having ears very quick, memory better than good, and a heart and mind

as noble and as attached to his Patron, as a spy is to the duties of his profession, he hung on, and stuck to his Royal Victim till he filled himself like a leach, and now he disgorges the matter, to ease himself of a burthen, and live by the sale of his vomit.

'He acknowledges his *breach of confidence* and *the proof of his dishonour* in these words : " At that period I passed much of my time at Carlton House ; and though I may provoke the anger of the Prince of Wales, and the displeasure of Mrs. Fitzherbert, I will state that which, from my being so much with His Royal Highness, I had an opportunity of OBSERVING and KNOWING."

He then proceeds to state, that a few loose remarks escaped the lips of His Royal Highness, which conveyed an idea that Mrs. Fitzherbert did not then stand in the same estimation she once had done with the Prince of Wales.

Mr. Jefferys then assumes a pretended delicacy, and says, "I will not repeat the expressions of His Royal Highness upon this subject ; it is sufficient to say, that what I heard was not of a nature to increase the respect I had for the character of that Lady."

I am inclined to think no one who has read Mr. Jefferys' pamphlet, will believe from the general feature of the work, that he would have withheld the publicity of the most trifling anecdote that could wound the feelings of either of the personages in question ; and I cannot but observe, that he appears to be fearful, his dark and malignant insinuations should not receive credit, without preparing the reader with a plausible preface to the subject, by saying, that subsequent events may contradict his assertion, meaning, that Mrs. Fitzherbert has since that period regained her influence at Carlton House. If the reader will take the trouble to analyze the sentiment of the paragraph, and then compare it with the different parts of Mr. Jefferys' work, and the nature and complexion of his mind, I am inclined to think Mr. Jefferys will at all events bear the disgrace of having violated the confidence of a Royal chamber, *though he may not have told the truth.* The subsequent conduct of Mr. Jefferys, as relating to his affairs with the Prince of Wales and his creditors, will, when stated, shew that he is liable to mistake facts : I do not say wilfully ; but when a man's memory is treacherous, he cannot

always tell the truth. No gentleman who feels for the honour of his table, the conversation of himself, family, and friends, can in future receive the company of Mr. Jefferys, as private colloquy will not be sacred; and as he has now got a knack of authorship, he will be gleaning the secrets of every chamber, in order to make up a book of scandal, or a scandalous book.

I shall now pass on to Mr. Jefferys' money concerns with the Prince of Wales. It is unnecessary for me to make any remark on his account of the quantity or quality of the various articles furnished to His Royal Highness and the other branches of the Royal Household, as I take it for granted his statement in that respect is right.

Mr. Jefferys' claim* on His Royal Highness was 85,028*l.* 19*s.* 6*d.* in which was included a profit of 30 per cent, as he acknowledged before the Commissioners for conducting the affairs of

* A very interesting paper, entitled "*The Statesman*," has given such a clear analysis of the arithmetical part of Mr. Jefferys' account, that I have inserted parts of it, nearly *verbatim*, but with some few alterations of arrangement:

His Royal Highness, when examined by the Right Hon. William Pitt.

Therefore the amount of his actual disburse- £. s. d.
ment was 59,520 5 8
His profit of 30 per cent. on the whole demand,
was 25,508 13 10

Making the amount of Jefferys' claim	£5,028 19 6
Jefferys admits his receipts to be	68,220 18 0
And states his deficiencies at	16,908 1 6
The amount of the claims	£55,028 19 6

The profits of Jefferys, as he admitted to the Commissioners, amounted to .. 25,508 13 10

Lord Cholmondeley, on his legal claim of 50,997*l.* 10*s.*

paid him in cash 25,000*l.*
then there remained but 25,997*l.* 10*s.* from which
the Commissioners deduct- £. s. d.
ed 10 per cent. . 2,599 15 0

Deduction on his second
claim of 24,700*l.* at ten
per cent. 2,470 0 0

Deduction on his third claim
of 9,321*l.* 9*s.* 6*d.* at ten
per cent. 933 2 5

The whole amount of the de-
ductions made from my
five demands, was only ... 6,002 17 5,

Jefferys received in Debentures, payable in full, and bearing interest at the rate of 5 <i>l.</i> per cent. per ann.	
54,026 <i>l.</i> 2 <i>s.</i> 1 <i>d.</i> upon which he says he lost 20 per cent.	10,805 4 1
Amount of deficiencies, as stated by Jefferys	16,908 1 6
These deficiencies, deducted from the profits admitted above, leave a clear profit of	£. 8,700 12

Mr. Jefferys, according to his own account, had a profit of 8,700*l.* 3*s.* 4*d.* after all deficiencies were deducted, including his pretended loss of 20 per cent. on the Debentures, which he ought not to have converted into money without the consent of his creditors. The Debentures bore an interest of five per cent. and were payable in full; and Mr. Jefferys ought not to have made a *pretended* sacrifice of 20 per cent. on so great a part of his creditors' property, without calling a meeting of them to authorize him. Had he adopted this line of fair conduct towards the persons who had placed a confidence in his honour, and kept up his importance as a tradesman, they would have given him a more

tages arising from the Debentures, which would have brought them considerably more money than the two dividends Mr. Jefferys paid as a bankrupt, amounting together to *one shilling and nine-pence in the pound.* This was not nine per cent. on their respective demands, and not half of the 20 per cent. which he pretends to have lost upon those Debentures. If his creditors had refused to receive the Debentures, he might with some justice have told the public, that they had not dealt with liberality towards him; but he took good care not to try their liberality in that way.

Mr. Jefferys complains much of the *deductions* which were made from the *verdict of a Jury*, and to which he appears to attach much importance. It may here be proper to observe, that they amounted only to 2,599*l.* 15*s.* Surely this trifling sum cannot have involved him in the difficulties which he complains; nor was, as he says, principle of our Constitution—~~the~~ *rendered of no effect.*" "Jefferys did collect the Commissioners with strictness, and proceeded in conformity with the Act."

He commenced his action for 54,685*l.* The Jury gave him 50,997*l.* The difference, whether an overcharge, or unfair demand, they struck off; and the reason the Jury gave so large a verdict, was in consideration of the extra trouble Mr. Jefferys might have had in selecting so large a quantity of diamonds in so short a time: they certainly were very bountiful and liberal upon this occasion. The persons appointed to value them, fixed the sum at only 43,700*l.* Mr. Jefferys says, the Jury gave him a *legal* claim, viz. for 50,997*l.*; consequently his demand of the larger sum was not a just, or a *legal* claim. But the Commissioners went farther, and struck off a larger sum.

The Gentlemen whom the Commissioners employed to value the diamonds, were Mr. Cripps, Mr. Duval, and Mr. Francillon; the first said in evidence, he had been fifty years in the jewellery trade; he had examined them article by article, and estimated them at 43,700*l.* (Mr. Jefferys)

Mr. Jefferys might have had in collecting the diamonds. Mr. Duval and Mr. Francillon gave evidence to the same effect. "The Gentlemen employed by Mr. Jefferys estimated the diamonds at 50,997*l.*; but then it is necessary to observe, that one of them had half per cent. commission for his evidence, and that the three others were considerable creditors of Mr. Jefferys, and had sold him the very diamonds in question, at least the greatest part of them." It was admitted upon the trial, on the part of Mr. Jefferys, that he had charged a profit of 30 *per cent.*! Query, How much more? I do not hesitate to assert, from this evidence, that Mr. Jefferys charged more than forty per cent.; and it is necessary to observe, that in the valuation at 43,700*l.* there was a profit included of 16 per cent. therefore the 11,000*l.* overcharged by Mr. Jefferys was an additional profit of more than 25 per cent. of which the Jury, by their verdict, allowed him about 16 *per cent.*!!

Jefferys complains loudly against the Commissioners for not paying him the whole of his demand, ~~and then 40*s.*~~, in the pound. But it seems that he is no less angry with those who unfortu-

nately, trusted him, who complain that he has only paid them 1s. 9d. in the pound.; it appears, never, from Jefferys' account, now before the public (allowing, as he states it, 20 per cent. loss on the Debentures), that he has positively received 16s. in the pound, of the whole demand which he made on the Commissioners, viz. he has received 68,220l. 18s. out of 85,028l. 19s. 6d. But, if I reckoned, as I ought to do, the Debentures at their full amount, it is as clear that Mr. Jefferys received 18s. 7d. in the pound, as it is clear he only paid his creditors 1s. 9d. in the pound!!!

About the year 1796 he received of Lord Cholmondeley 25,000/. ready money, and instead of appropriating that sum to liquidate the demands of those persons who enabled him to answer the orders of His Royal Highness the Prince of Wales, he retired from business with a *pretended fortune*, and in the possession of an elegant house in Hertford-street, May-fair, and another in the Isle of Thanet*. Mr. Jefferys then went

The above dwelling was built by Lord Howick, who being a man of a profligate & dissolute character, came into the possession of Mr. Jefferys,

to Coventry, where he expended near 7000*l.* in gratifying his insatiable ambition to become a Member of Parliament for that City. Without moralising on this act of injustice to his creditors, I cannot but express a belief he wished to secure himself from the legal effects of the law, by getting the protection that is attached to a person in Parliament.

Since the first edition of this pamphlet made its appearance, my belief of the above sentiment has been confirmed by a Gentleman of the County of Warwick, who is ready to verify his assertion on oath, that he heard Mr. Jefferys declare, he had but two motives for getting into Parliament: the one was, to raise himself in public notice; and the other, to protect his person from the effects of the law, and laugh at his creditors. Mr. Jefferys deserves to be scorned for the weakness of such a remark; and I leave the Public to pronounce his deserts for the *pure intentions* of his mind.

I am creditably informed (and I have no reason

to doubt the truth of it) that he did not differ in life, and expended vast sums in giving
gracious and decorations of ~~P~~ ^{the} residence. It
is now the residence of Lord Keith.

to doubt my authority) that his principal creditor, Mr. R.—, of the City, on hearing of Mr. Jefferys' journey into the *Land of Promise*, immediately went after him, accompanied by *Messrs. Touch and Takehim*, of Tealfe's-court, Chancery-lane. On their arrival at Coventry some arrangements were entered into, which, it is said, gave Mr. R. the possession of the above houses, and a sum of money. "*The Statesman*," gives the following account of him when at Coventry in all his glory.

" At Coventry the utmost precaution was taken for his personal security; and so critically desperate were his affairs, that all letters intended for him were sent under cover to a friend, who received, opened, and answered them, lest the bearer, or postman, might be a bailiff in disguise. Going to, and returning from the hustings, he was always surrounded by a hired mob, to prevent the possibility of an arrest; and a writ having been sent down, which the officer either could not, or would not serve, the Sheriff was sued for the debt, and obliged to pay it. Was the Sheriff ever reimbursed by the late M. P. for the City of Coventry? Such was the fortune with which Jefferys boasted that he had retired from business, and the means by which he gained his election were ~~so much~~ and incorrect, that he afterwards confessed it cost him, or rather cost him creditors, only 4000l.*. When he ~~had~~ was bankrupt,

were these 4000*l.* fairly stated in his accounts? Did he insert, in the items submitted to the Commissioners, the sums which he had expended to keep up the shew of opulence and splendour, while he was in a state of absolute insolvency? No—No!—His books did not exhibit a single trace of any past career of extravagance, dissipation, or profligacy. All deficiencies, all ‘the dreadful calamities experienced by himself and family,’ were ascribed to one cause, ‘the depth of enterprise which his concerns with the Prince of Wales had assumed!’ ”

Mr. Jefferys may have been cunning enough to make his creditors believe that he was ruined, “by placing an unlimited confidence in a quarter where a doubt of its rectitude would have been insult.” But now the mask is taken off, the public will begin to view the subject in its true light, and the *weeping deceiver* must get the reward that is justly due to the dishonourable and unworthy. I should wish to be informed, how he can establish the position of the above passage. He failed for 40,000*l.* when, but a few months before he left the shop, he set himself up as a Member of Parliament, and gave out to the world, that he had retired from business with a fortune exceeding 40,000*l.* making together the enormous sum of upwards of 80,000*l.* And how does he account for this sum? By stating that

the Commissioners appointed for arranging His Royal Highness's affairs had, "*by the mode of payment they had adopted, and the deductions they made,*" occasioned deficiencies (he does not term losses, nor were they, he knows it well, but a diminution of profit) to the amount of 16,80*l.* 1*s.* 6*d.* and, by stating this to the public, he thinks he has most satisfactorily accounted for the cause of his ruin: because, to use Puff's expression in the Critic, "*The number of people who read, that undergo the fatigue of judging for themselves, are very few indeed.*" But surely no man will be weak enough to believe, on the mere assertion of Jefferys, so great an absurdity as that 16,80*l.* 1*s.* 6*d.* could have produced a loss of, or swallowed up, the enormous sum of 80,000*l.* Certainly there are other items which have occasioned the defalcation, and I think 7000*l.* spent for his election at Coventry, in the year 1796, may be reckoned one; his two dividends, viz. 1*s.* 3*d.* and 6*d.* in the pound, amounted only to 3,500*l.* and, as for the remainder of the sum of 80,000*l.* I leave it to Jefferys to account for that, as well as for the other creations of his brain.

The conduct of His Royal Highness towards

Mr. Jefferys, from the following account, was most magnificent, and such as characterizes the Heir Apparent to the Throne on all occasions.

" Previous to going to trial, I considered it a mark of respect due to the Prince of Wales, to state to His Royal Highness the necessity which existed of defending both my character and property, which were so deeply involved in the question; and I expressed a hope that His Royal Highness would grant me permission to resist, before a Jury, the very large deductions proposed to be made by the Commissioners.

" His Royal Highness said, he highly approved of my conduct in so doing, and addressing himself to the Earl of Cholmondeley (then Lord Chamberlain to His Royal Highness), desired him to attend upon the trial, and to declare, if necessary, on the part of the Prince, his entire approbation as to the integrity of my conduct, in the whole of my concerns with His Royal Highness.

" Lord Cholmondeley attended accordingly, but the Counsel for the Defendants (the Commissioners) declined detaining him in Court, saying, they were satisfied upon the subject; and, when I had obtained the verdict, His Royal Highness congratulated me upon my success.—I had, therefore, every ground to be satisfied with my situation.—The Prince had approved of my resisting the proposed deductions of the Commissioners,—the Jury had awarded me a favourable verdict,—the present Lord Chancellor had, in the letter just stated, expressed his opinion of my claim,—and the Prince congratulated me on my success."

But there is a great difference between giving a sanction to his tradesman's claim in a court of law, and suffering Mr. Jefferys to publish any

account he pleased, in which His Royal Highness's liberality was unhandsomely questioned. No man could take more pains than Mr. Jefferys did to prejudice the public against the dignity and honour of the Prince of Wales, consequently he had no just cause to be angry when His Royal Highness dispensed with his presence and services.

The following letter is couched in terms not at all calculated to have rendered him any service with the Prince; it directly accuses His Royal Highness of having been the cause of all his miseries, when the Prince must have been fully satisfied that he was urging an untruth, as a plea for favours. I think, without troubling my reader with a repetition of remark, I have already shewn the cause of his ruin, which His Royal Highness had nothing to do with, except pitying a weak and ambitious mind.

SIR,

Pall-Mall, June 25, 1801.

From the difficulties I have experienced for the last four years to provide for my family, arising from the mistaken idea of the public, that my misfortunes *did not originate from the cause I state, but my own improper conduct;* and the sanction this idea has unfortunately received, from your Royal Highness totally withdrawing from me that patronage I had former-

by the good fortune to enjoy, and which I am not conscious of ever having deserved to forfeit; I am most forcibly called upon to take some *method publicly to vindicate my character* in the opinion of the world, to whom I am ultimately to look for support.

I have drawn up the inclosed statement for that sole purpose; and your Royal Highness, I am confident, in the perusal of it, will not deny to me the credit of having carefully abstained from all reflections on any individual.

The cruelty of my situation has seldom, I believe, been experienced by any man: my fortune has been ruined, my character discredited, and my health broken with excessive anxiety. All this has been produced by placing an unlimited confidence in a quarter, where a doubt of its rectitude would have been insult.

The injury I individually complain of, Sir, is not confined to me, it extends to the public: a sacred principle of our Constitution,—the Verdict of a Jury,—has been rendered of no effect.

Influenced by the powerful calls of necessity, and urged by no principle of resentment to any person, in the mode I adopt to vindicate my character, I hope for your Royal Highness's *forgiveness*, if any thing I have said should hurt your feelings; —I assure your Royal Highness nothing is farther from my intention.

I have the Honour to be, Sir,

You Royal Highness's obedient Servant,

NATH. JEFFERYS.

In the above letter Mr. Jefferys does not appear satisfied without placing the whole of his misfortunes at the door of His Royal Highness; even his "broken health" is in the catalogue of

the Prince's wrongs to him ; as if His Royal Highness could have been the guardian of his passions and morality. But when a man's desperate situation in life obliges him to live by falsehood, he may as well tell a good round lie, as lose his character for a trifling deviation from truth. If I may judge from his immethodical arrangement of the materials of his pamphlet, I can readily conceive that his mind is not sufficiently schooled in the art of reasoning, which accounts for his jumbling all his thoughts together, by which means he places wrongs to the account of the Prince of Wales, that belong to himself.

The ill health which Mr. Jefferys speaks of as having originated in his want of success in the world, is not true—Mr. Jefferys should remember, in addition to the heavy expence of carriages, horses, houses, servants, &c. &c. that he was an expensive *gay deceiver*, and when a man revels in wantonness, and “ roves through all the wiles of love,” he must expect to possess *marks of affection* from the Paphian Goddess*.

* Mrs. J——, a French Lady who lived some few years ago near Charles-street, Berkely-square, and who was distinguished in the fashionable world for the beauty of her person,

In another part of his letter he says, “ my fortune has been ruined.” How could the Prince of Wales ruin Mr. Jefferys, *when he got every farthing of his money, with the exception of £6,808*l.* a deduction of an exorbitant interest,*

which twelve of his countrymen would not allow him when his case was investigated in the sacred temple of justice.

Since this pamphlet appeared (which has been honoured with the most flattering success), a Gentleman of rank in the country informed me, that Mr. Jefferys used to obtain the Prince’s bonds to a large amount, whenever he asked His Royal Highness for them, and which bonds bore an interest of five per cent. and were as marketa-

the *ease* and elegance of her manners, and her accommodating disposition to the gay and wealthy part of the public, had the honour of Mr. Jefferys’ acquaintance, and received a compliment of a handsome sideboard of plate, besides occasional sums of money, for secret services done to Mr. J. when his spirits run high within him. But alas! she was not the only female favourite, for “ Solomon loved many strange women,” (1st Book of Kings, chap. xi.) ; I therefore do not wonder he has got so thin.

If I have erred, in giving publicity to the amours of Mr. Jefferys, I take the indelicate precedent of his pamphlet as my justification.

ble as any Government paper.—But I blush for the man who has not sense and feeling to blush for himself!

Suppose Mr. Jefferys had been as much delighted with the society of one of the most wealthy merchants of the City of London, as he has been with that of the Prince of Wales, and from some concealed motives of interest, had furnished him with jewellery to the amount of the Prince's bill; I should wish to know, which of the two would be considered the safest paymaster,—the merchant, who is amenable to the bankrupt laws, or His Royal Highness the Prince of Wales, who, by the constitutional laws of England, cannot avail himself of the privilege which belongs to the common subject. That being the case, I do venture to say, that he has been a very fortunate man, in having had such an illustrious creditor. For the merchant might have tumbled to pieces, and paid Mr. Jefferys no more than 1*s.* and 9*d.* in the pound, the sum Mr. Jefferys very liberally gave his creditors out of 68,220*l.* and upwards, money received from His Royal Highness.

The complaints of Mr. Jefferys can therefore

only be founded on his not receiving a profit of £16,808^{l.} more than either the Commissioners or an English Jury thought he was entitled to, consequently his claim is an unjust one, and would not warrant the most temperate appeal to the public or the Prince, much less a scurrilous libel.

Some of the letters sent by Jefferys to the Prince of Wales, contain nothing more than a repetition of his former remarks, already commented on; I shall therefore only extract such passages from them as require notice. His letter dated January 4, 1803, has this passage, which will lead me into a short view of Mr. Jefferys in the character of a Politician.

" That I have not omitted such opportunities as my limited situation has afforded, of shewing every respect I could to your Royal Highness, I beg to refer you to the part I took in the debate in the House of Commons, on the subject of your Royal Highness's claims to the Cornish Arrears."

Before I go into an inquiry of his general talents for a representative of the people, I must be permitted to observe, that he could be of little or no use in the illustration of the Prince's right, as Duke of Cornwall, with the exception of the value of his vote when the House came to a division.

Mr. Jefferys' talents and reading are of that confined nature, that the little he did say, could not possibly have had any weight. A question involving so much legal knowledge, and on which the most exalted talents and learning of the country were displayed, naturally threw Mr. Jefferys out of the sphere of his attainments, consequently his speech was nothing but a little common-place panegyric on His Royal Highness, which only occupied the time of the House unnecessarily, without commanding attention or serving the Prince. The House of Commons looked up to men of another description for the full explanation of the Prince's claims; and had not the subject been suspended * by the wish of His Royal

* On Monday February 28, 1803, the following communication was made to the House of Commons, through the medium of Mr. Tyrwhitt.

"That the Prince has felt with the most sincere and affectionate gratitude, the gracious purpose of His Majesty, in recommending his present situation to the consideration of Parliament. That having seen, by the votes of the House of Commons, the manner in which they have received His Majesty's recommendation, the Prince deems it incumbent on him to express his warmest acknowledgment of their liberality; at the same time the Prince, though fully convinced of the propriety of resuming his state, and greatly regretting any circumstance which tends to disappoint the wishes of His Ma-

Highness, the public would have been satisfied his claims were justly founded on constitutional principles. If Mr. Jefferys were to make an oration in a little vestry-room, he might perhaps distinguish himself among cheesemongers, shoemakers, &c. &c. on the propriety of a new and fashionable set of church plate, or in turning the

jesty, or of the House upon that subject, yet feels himself bound explicitly to declare, that there are still claims remaining upon his honour and his justice, for the discharge of which he must continue to set apart, in trust, a large sinking fund, and consequently postpone until the period of their liquidation, the resumption of that state and dignity, which, however essential to his rank and station, he knows, from dear-bought experience, could not, under his present circumstances, be resumed without the risk of incurring new difficulties.

" The Prince thinks that he owes it to himself and to Parliament, to make this declaration to them, with the same distinctness as he stated it to His Majesty's Government upon the first communication made to him of His Majesty's benign intentions.

" With respect to the Prince's claim to an account of the revenues which accrued from the Duchy of Cornwall, from the year 1762 to 1783, however strong his confidence in the validity of his claim, a confidence fortified by the strongest legal authorities, yet as he trusts, that through the gracious interposition of His Majesty, and the liberality of Parliament, he shall be enabled otherwise to provide for those demands on his justice, which alone induced him to assert his right, he now cheerfully relinquishes his suit, and has directed his law officers to forego all further proceedings."

course of a drain ; in raising a new lamp-post, or fixing a pump near his own dwelling, to furnish the public with water to duck and purify a foul-mouthed libeller ; but to allow him to legislate for one of the most enlightened countries in the universe, only reflects censure on the discrimination and good sense of his constituents.

His Royal Highness is a gentleman of great natural energies of mind, heightened by all the attainments that learned and polished society can give, to add greatness and lustre to the Heir Apparent to the Throne.

The Prince must therefore have seen Mr. Jefferys' deficiencies too plainly, to set any value on his officious services in the House of Commons. I have a right to question the sincerity of the sentiments of Mr. Jefferys' speech in favour of the Prince's augmentation of property.

The substance of his little oration went to shew the House of Commons and the country, how much the Prince of Wales was entitled to the indulgence of Parliament, and the people, for an increase of income.

Now Mr. Jefferys assumes a different opinion, in page 60 of his pamphlet, where he expresses a

concern that the Prince should have had at various times such *immense sums* granted out of the industry of the people, to “ supply his luxuries and expences.”

What must his constituents and the public at large think of a man who could *three years ago* advise the nation, through the medium of the House of Commons, to grant the demands of the Prince of Wales as necessary and proper, and now, in the year 1806, publish the recantation of his sentiments, though His Royal Highness has not received any augmentation of income from the grant of the nation since Mr. Jefferys delivered his speech. The conduct of Mr. Jefferys has been either extremely unjust and dishonourable to his constituents and the public, in having supported and voted contrary to his *real sentiments*, or he has shamefully *wronged* the Prince, in having endeavoured to *irritate and stimulate* the public to take a *false view* of His Royal Highness’s conduct and affairs.

In a letter to the Earl of Moira, dated March 12, 1806, he speaks of his parliamentary services in this way :

" I have constantly, my Lord, in Parliament, supported the present Administration, while in opposition, in their most unpopular moments, and I hope they will not, now that they are in power, forsake me, because I can be no longer of any use to them."

In answer to the preceding paragraph, I beg leave to observe, that Mr. Jefferys was not of any service to the present Administration, who constituted the Opposition of his time, as he *could not take a part* in any animated debate; and the value of his vote was like the services of a supernumerary man in a theatre, who stands as a figure, but does nothing to produce notice or admiration.

When the present Administration were fighting every inch of ground they stood on, they wanted talents and eloquence to assist their cause, not merely the man who could do little more than say Aye, or No.

If the country is now in such a state as to require an efficient Ministry, what would the public say, if the Prince of Wales, or any of the leading Gentlemen now in power, were to recommend a person to a seat in Parliament, or any important office in the State, who had

scarcely logic and eloquence sufficient for a brokers' auctioneer?

If the public believe Mr. Jefferys' statement, that he was the zealous and warm friend of Mr. Fox and his party, they are in the dark as to the truth. He conditionally offered himself to Mr. Pitt*, and *had the modesty* to stipulate the nature of the provision he expected for his services, though he had not long before this application abused the late Premier, and concluded *a little bit* of a speech, by asking, “Where a worse Minister could be found than Mr. Pitt?” But that immortal statesman spurned his offer, and pitied the weakness of the man. I have been informed he made a similar application to Lord Sidmouth, then Mr. Addington†, when he was Chancellor of the Exchequer, who also rejected his *kind offer*.

So much for the attachment this political wea-

* The letter Mr. Jefferys sent to Mr. Pitt, contained a full explanation of his situation with His Royal Highness the Prince of Wales and the present Administration, and expressed an eager readiness to relinquish the above connexion, if the late Premier would *provide for him*.

† Mr. Jefferys' letter to the present Lord Sidmouth, expressed a hope of his Lordship's protection and patronage, from having been at Cheam School, Surrey, when his Lordship was a pupil of that Seminary.

thercock has shewn to his party ; and, like a weathercock, he has all the velocity of circular motion, without being true to the gale.

I shall not ask Mr. Jefferys how he procured a qualification for a seat in Parliament, or how he lost it when his right was contested before a Committee of the House of Commons ; as such a question would be touching him too near the quick ; I will therefore leave that subject for him and his *old* friend Mr. T. to explain, who violated his confidence in the cause of truth, when before a Committee of the House of Commons.

I suppose Mr. Jefferys acquired the art and mystery of *keeping secrets*, from this late valuable and trusty friend.

It is not my wish to *put too many* questions to Mr. Jefferys, as I know how vulnerable his conduct has been of late years ; and that every time my caustic touches a *morbid spot*, he feels very acutely. I cannot, however, refrain from asking him whether he ever solicited pecuniary assistance of the nobility, for the relief of a gentleman some five years ago, confined in the Fleet Prison.—I wish to know whether he did not receive twenty pounds from the Earl of M—, and twenty pounds

from the Duke of N—, beside other sums of money? which he pretended to be for the use of his distressed friend in confinement, who, he said, had requested him to undertake the friendly office of asking the above favours. I wish to know whether he ever took any more than five pounds, out of the sum collected, to the unfortunate prisoner? and a *Veal Pye*, which Mr. Jefferys said his wife had made for him, knowing the prisoner's taste for that particular dish.

I wish Mr. Jefferys to say, whether he did not give the five pounds to the poor gentleman as an act of kindness from his own private purse; and whether the object of charity then knew any thing of Mr. Jefferys having solicited public favour for him?—I should wish also to know of Mr. Jefferys, whether he went a second time to the Fleet, after this circumstance; and what became of the donations of those noblemen, whose money Mr. Jefferys had kept, with the exception of five pounds and his wife's *Veal Pye*, which he gave as the act of a friend and philanthropist?

As Mr. Jefferys has indulged himself in biographical anecdote of Mrs. Fitzherbert, he cannot be offended with me for having followed his ex-

ample, in relating some private occurrences of his life; and as he has not been sensible of the delicacy and respect due to a female (who has left her cause to the care of a liberal public), I beg leave to assure him that the person who has felt her injuries, is capable of avenging them, and will not let Mr. Jefferys slip through his fingers before he has shewn the world, that an unprincipled calumniator and extortioner would be less dangerous to society in Newgate*, than he has hitherto been in the neighbourhood of a palace.

If a goldsmith were to receive a hundred and twenty pounds from the Pupils of a large seminary, to make a piece of plate, fit for them to present to their Preceptor, as a token of his services and

* In page 70, he has the impudence to make a sarcastic allusion to the Prince's acquaintance with Mrs. Fitzherbert, as rendering His Royal Highness amenable to the criminal laws of the Old Bailey. I suppose Mr. Jefferys' actions of late years coming within the cognizance of that court, and weighing heavy on a guilty mind, called to his recollection words which could not escape his pen, when composing his pamphlet; I therefore should not be surprised if the terms, "imprisonment, pillory, and transportation," were, in the course of time, to become familiar to our late honest and much esteemed Member for Coventry.

their esteem, and the tradesman was to take advantage of the youth and situation of his customers, and send home an article *not worth thirty pounds*, I do not hesitate to say, that such an offender ought to stand at the bar of the *Old Bailey* for a *fraud*. I suppose Mr. Jefferys will not join me in opinion on that subject.

What must the public think of a man who, in a state of *bankruptcy*, purchases a house, and pays for it by accepting bills at a given date, which when due, he cannot take up?—To go a little further, Mr. Jefferys stands publicly accused of having received *two thousand eight hundred pounds*, for a service of plate which he promised to prepare for a noble Lord, *who knowing his poverty, kindly advanced* the above sum, to enable him to complete the order; but, dreadful to relate! this honourable goldsmith neither executed his Lordship's order, nor returned the money; and when he found he could not evade both, he sent in a paltry set of silver articles, worth about a third of the money Mr. Jefferys received.

Mr. Jefferys has for several years past, been occasionally filling the newspapers with an *unasked for justification of character*; he has however done

it once too often, and it is now seen, that he is not the REAL SIMON PURE he has so long endeavoured to make the people believe him to be.

As Mr. Jefferys' pamphlet has no regular beginning, middle, or ending, I hope, therefore, I shall be excused for returning back a few pages, to notice the purport of a paragraph in page 42. He observes, that in consequence of meeting the Prince of Wales and Mrs. Fitzherbert on the road, both going to, and returning from Brighton, His Royal Highness sent Colonel M'Mahon to the gentleman in whose company he was, to know the object of his visit to that town. The gentleman told Colonel M'Mahon that Mr. Jefferys' journey to Brighton was merely that of pleasure, and by his particular invitation. After some exchange of remark, Colonel M'Mahon observed, that an illiberal paragraph had appeared in *The True Briton*, which caused great uneasiness to Mrs. Fitzherbert and the Prince, and which Mr. Jefferys was suspected of writing. Do not let it be understood that I wish to accuse Mr. Jefferys of having written this paragraph; I only mean to account for the uneasiness which the Prince and

Mrs. Fitzherbert had shewn on seeing Mr. Jefferys on the road to Brighton. Though I exonerate him from being the author of the paragraph in question, yet I cannot but think the Prince of Wales and the above Lady had good grounds for their suspicion, knowing the insincerity of Mr. Jefferys to them on other occasions. Who was more likely to write a little ridiculous squib, as an indulgence of disappointed ambition, than Mr. Jefferys? Who was so likely to wound the feelings of a Lady (the pretended cause of his ruin) as Mr. Jefferys, who had taken a liberty with her name and affairs at every corner of the public streets, and in half the coffee-rooms west of Temple Bar? Who was so likely to write a malignant paragraph on the Prince's social moments in the Pavilion, as the man who had been justly dismissed for having endeavoured to contaminate the public mind against the honour and dignity of their Prince, while he was feeding on Royal bounty? Who was so likely to sneak into the kitchen of the Pavilion, and cull the secrets of the mansion, as Peeping Tom of Coventry?—I say, who was so likely to do all these things, as

the man who has published *sixty-eight pages of slander on the Heir Apparent to the Throne?* Well might the Prince and Mrs. Fitzherbert question the cause of his visit to Brighton. Mr. Jefferys says, he thought the Prince and Mrs. Fitzherbert had forgotten him. Such a man ought to be forgotten; but if remembered, the heart must palpitate with indignation.

I do not wish to offend Mr. Jefferys by putting too close a question to him; but, *as he holds secrets at no great value*, there can be no impropriety in my asking him, whether he has now a silversmith's shop in any part of London? Some time ago a shop was opened in the neighbourhood of Piccadilly, under the name of —, and when its concerns were going on but indifferently, it is said Mr. Jefferys stepped forward to shore up the falling pile. I, however, suppose his ill health deprived him of the strength necessary for its support; and the firm, being composed of more *spirit* than *substance*, soon vanished, “like the baseless fabric of a vision, and left not a wreck behind.”

Having taken a view of Mr. Jefferys' political

character, I shall not dwell at any length on that part of his pamphlet (page 46) which shews his proceedings on the change of the Administration. But it may be necessary to observe, that neither Lord Moira, nor any of His Royal Highness's friends, could countenance a person who had been annoying the Prince in every way he was able.

The following paragraph, however, shews that his ambition was not yet cooled for becoming great in the State :

" I of course had reason to hope, that the years of adversity I had passed, would be now succeeded by some provision to render the remainder of my life easy and tranquil."

Out of respect to the Prince, the new Administration could not take to their bosom an adder, who had stung their Illustrious Patron.

I shall make very few observations on this part of his Letter to Lord Erskine, because I think a cool and impartial view of his pamphlet will shew whether he had any just claims on the Prince's liberality, after treating His Royal Highness in the way I have already noticed and dilated upon,

" MY LORD,

" The total neglect I have experienced from the Prince of Wales for ten years, to every application I have made to

him, during that period, as well as the present time, for a performance of the promise he has made to remunerate the private services I have done for him, and the distresses I have experienced in consequence of my confidence in His Royal Highness, *has induced me to prepare, for immediate publication, a statement of all the facts on which I ground my claim to the Prince's assistance.*"

The last lines of the above quotation announce the embryo malice with which his mind had been long pregnant ; and now, for the first time, His Royal Highness is informed, through the medium of Lord Chancellor Erskine, that if he does not choose to provide for him and his family, as a compensation for the losses his extravagant conduct has occasioned, Mr. Jefferys will open a budget, and disseminate the poison on paper, which before issued privately from his tongue.

It will be seen by the following part of his letter to Lord Erskine, that he has had the vanity to parallel his case with that of the Prince, when His Royal Highness's claims to Military Rank were the subject of discussion between Him, His Royal Father, and Brother.

" Should the Prince of Wales be of opinion that the public mode I adopt to vindicate my character is improper, I have to

plead, in excuse, not only the necessity of the case, to which I am forced by the oppression I suffer, but the example of the Prince of Wales himself, who, conceiving his claim to Military Rank not being properly attended to, sanctioned the publication of the private Correspondence of the King, the Duke of York, and himself, in the Morning Herald of December 7, 1803."

But Mr. Jefferys should recollect, that the precedent he has presumed to follow, arose from an affair of national consequence, and will bear no affinity to the commercial transaction of a tradesman. At the time His Royal Highness wished to employ his talents for the increase of our military honour, and the protection of his country, he only asked to give those services in the hour of danger, which almost every member of the state was called upon to perform, in some military way, according to his rank and station in life; consequently the tender became a proper subject for the consideration of the nation.— Surely then, the Prince's publication of his private Correspondence alluded to, being of a constitutional nature, affords no example for a tradesman's invective. But this is like the rest of Mr. Jefferys' *reasoning.*

On his letter to the Prince of Wales being re-

turned unopened, he wrote a long epistle to Colonel M'Mahon, wherein he recapitulates his services to the Prince, which have already come under my notice; and he concludes his letter with informing the Prince through Colonel M'Mahon, that he shall lay his case before the public, unless he receives some redress. In consequence of this letter, it appears Lord Moira requested an interview with Mr. Jefferys, and the result his own words will explain.

" His Lordship told me my conduct was scandalous, in writing such a letter to Colonel M'Mahon, and in proposing to publish my case under the title of "*A Review of the Conduct of the Prince of Wales;*" that he should think it his duty to persuade His Royal Highness never more to notice me; that my conduct was a fit subject for the attention of an Attorney-General; and his Lordship went so far as to compare my proposal to publish a review of the Prince's conduct, to the threatening letter of a felon to extort money."

There is not a gentleman in the kingdom who is held in higher estimation for talents, humanity, courage and honour, than Lord Moira.

I am sure the public will agree with me, when I say that the Crown of England would not in-

Lordship to wound the feelings, and oppress an injured man, or become the instrument of a mean act ; the language therefore of this enlightened statesman and officer, must have some weight with the public, while it conveys no very favourable opinion of Mr. Jefferys' intentions of frightening the Prince of Wales out of his money. The last line of the above paragraph is too strong, to have escaped the mild lips of his Lordship without good cause.

Mr. Jefferys observes, that he requested Lord Moira to inform him, what was the ground of the Prince's displeasure with him ; and his Lordship declared " he had never heard of any." It is not likely that His Royal Highness would take notice of Mr. Jefferys' *volubility* of tongue ; it was enough to know that he had done wrong, without condescending to enter into an altercation on so painful a subject.

From the following paragraph, it appears Mr. Jefferys takes upon himself to question the propriety of the Prince's expenditure in altering and decorating Carlton House.

" The enormous and unnecessary expences going on at Brighton, and at Carlton House ;—at the former, alterations

in expenditure, amounting to a sum very considerably exceeding 10,000*l.* and at Carlton House, where every thing was finished not long since, in a style truly suitable to the residence of the Heir Apparent, under the direction of an architect of refined taste, founded on science (Mr. Holland); all is now pulling to pieces, under the direction of a gentleman called an *amateur architect*, at an expence beyond calculation."

This Jack-of-all-Trades, *Silversmith*, *Courtier*, *Politician*, *House-Agent*, *Physiognomist*, and *Secret-monger*, now assumes architectural knowledge, and, with an air of scientific skill, reprobates the ornamental alterations and improvements of a plan he is not suffered to see, and therefore cannot judge of; and, like the fox in the fable, he talks of nothing but the sourness of the grapes. If Mr. Jefferys had accused His Royal Highness of having sent his money out of the country, or of having locked it up in the stocks, the people might justly complain, that their industry and talents met with no return of Royal encouragement; but, while he intended by the above paragraph to shew the Prince in the most unfavourable point of view to the public, he has involuntarily been paying His Royal Highness's liberality a handsome compliment. The money expended by men of large fortune in the coun-

try, in the decoration and improvement of their property, soon gets into various channels of circulation, and, like the streamlets of a river, communicates benefit to the whole country.

Mr. Jefferys continues his remarks on the extravagance of His Royal Highness, in these terms :—

"These large expences going on, while the discharge of an act of justice and honour remains unperformed, and which would little interfere with the expenditure alluded to, convey at once a very severe reflection on the conduct of the Prince of Wales, to whom all advances made by the public, are with a view to a proper and dignified support of his rank, and must be disgusting to the generous feelings of the people; who are under the necessity of depriving themselves, in many instances, not merely of the luxuries, but even of the common comforts of life, to defray the taxes imposed upon them."

From these words, "all advances made by the public are with a view to the proper and dignified support of his rank;" does Mr. Jefferys mean that the Prince of Wales, and his Commissioners, were to subscribe to the exorbitant profit of nearly 100*l.* out of a 300*l.* bill, to support what Mr. Jefferys calls rank and dignity?—If so, His Royal Highness had better incur the displeasure of Mr. Jefferys and the public, than

suffer his money to be so shamefully disposed of. If Mr. Jefferys had been allowed the whole of his exorbitant demand on the Prince, he might justly have used the last sentence of the preceding paragraph.

But it is fortunate for the country, that neither His Royal Highness, nor his Commissioners, will suffer the grants of the public purse to be violated by the hands of a greedy and usurious tradesman, who only calumniates, because he can no longer put his hand in the Prince's pockets.

Mr. Jefferys observes, that though the Prince of Wales declined to assume the splendour of his establishment three years ago, for the laudable purpose of paying his creditors, yet he has never paid a shilling in diminution of their demands. I will take this to be the fact, for the sake of contrasting highly respectable men with a *prattling impudent shop-keeper.*

These tradesmen continue their importance in trade, notwithstanding the Prince of Wales may be largely indebted to them. I have not seen any of their names in the Gazette, nor do I find they complain of His Royal Highness's want of

liberality to them. They all appear to increase in wealth, as well as general esteem, though neither of them have been in *Parliament*, nor assumed the character of a *dashing sprig of fashion*. I do not find a *column* of a *newspaper* occupied with the bills of *Carlton House*, impertinent *remarks* on the Prince's conduct, and an *unsolicited justification of character*. Their honour, good conduct, and integrity need no puff.

If they were all convened to give a candid opinion of the liberality of their Illustrious Customer, I have no doubt but every one of them would express a perfect satisfaction in the certain payment of their demands, and with infinite pleasure answer the orders of Carlton House.

It is customary for the Tradesmen who serve Carlton House, to dine at Willis's Rooms on 12th August, in order to celebrate the birth of our Illustrious Heir to the Throne. On one of these happy and festive days, Mr. Jefferys was invited to join this highly respectable meeting; but he declined the invitation in these words—
 “What gentleman can dine with such a set of fellows!” What would Mr. Jefferys give now,

to rank in honour, honesty, and respectability, with the humblest of them?

No man is more inclined than I should be, to pourtray the amiable qualities and distinguished virtues of Her Royal Highness the Princess of Wales, if the present subject would fairly admit of her name; but as Mr. Jefferys has introduced this amiable personage with no motive but to insult the Prince, and contrast characters, I am therefore compelled to make some few remarks on the malignancy of the act.

Mr. Jefferys has pretended to feel a delicacy in introducing the name of the above Illustrious Personage with that of Mrs. Fitzherbert; but if his bosom contained any respect for the Princess of Wales, he would not have brought her before the public, to receive an empty and insincere compliment, at the expence of her dearest feelings. Can Her Royal Highness feel gratified with the praise of a man who has endeavoured to blast the fair character of Her Royal Husband? Can she esteem a *fawning sycophant*, who has artfully introduced her name, that he might display the lustre of Her Highness's qualities, in order

to cast a shade over the object of his *hatred*? And if he thinks Mrs. Fitzherbert so unworthy of esteem, he has grossly insulted the Princess of Wales, in having coupled characters of opposite habits.

Mr. Jefferys now commences moralist, and it is not more remarkable than true, that worn out gallants are in general great professors of virtue and morality.—I should not wonder if in a few years, when all trades fail, the public were to hear of Mr. Jefferys' regeneration and conversion, and find him on a tub in the neighbourhood of Moorfields, giving a wholesome *homily* on the nature of original sin. Mr. Jefferys appears to feel greatly for the indiscretion of the Nobility, who do not notice him, but receive the visits of Mrs. Fitzherbert. But if he had ever possessed any of her good qualities, he would now be more esteemed than he is, or ever can be.

All that he has observed in his biographical account of Mrs. Fitzherbert, will never injure her with the liberal part of the public, though the author of it will be despised for an ungentlemanly attack on a worthy and much-esteemed Lady. As I am as great an advocate for the

freedom of speech as Mr. Jefferys, I shall finish my pamphlet with the tag-piece of his libel.

" It was the first command and counsel of my youth, always to do what my conscience told me to be my duty, and to leave the consequences to God ! I shall carry with me the memory, and, I trust, the practice of this parental lesson to the grave :—I have hitherto followed it, and have no reason to complain that my obedience to it has ever been a temporal sacrifice—I have found it, on the contrary, the road to prosperity and wealth—and I shall point it out as such to my children."—*Part of an Oration delivered by Lord Erskine.*

FINIS.

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A

LETTER

ADDRESSED TO

Mrs. FITZHERBERT.

A LETTER

ADDRESSED TO

MRS. FITZHERBERT,

IN ANSWER TO

A COMPLAINT,

THAT HER FEELINGS HAVE BEEN HURT BY THE
MENTION OF HER NAME IN THE

R E V I E W

OF THE CONDUCT OF THE

PRINCE OF WALES,

WITH OBSERVATIONS ON THE

INFLUENCE OF EXAMPLE, &c. &c. &c.

BY NATHANIEL JEFFERTYS,

Late, M. P. for the City of Coventry.

London:

published by, Mr. Jefferts, 31, Pall-Mall.

INTRODUCTION.

The facts complained of in the following Letter to Mrs. Fitzherbert are so-well known and excite (at this particular moment) such hourly expressions of merited abhorrence and contempt at her conduct, from all ranks of people throughout the Kingdom— that Mr. JEFFERYS does not consider any apology to be necessary for publishing them.

Mrs. FITZHERBERT

UPON THE
INFLUENCE OF EXAMPLE, &c. &c. &c.

Hail! — Thou shalt be ***** hereafter.

SHAKESPEARE,
GOD FORBID!!!

MADAM,

YOU are, I understand, much offended at the freedom with which I have mentioned your name in the appeal I have made to the public, and I am informed that I have hurt your feelings; — if, Madam, to hurt your feelings should lead to an alteration of your conduct, and induce you to consult the feelings of others, the

and now, do the sensations will
in that truly-unfortunate Lady, to
, for years together, the attention
, due to her paid to you, and to
of your feelings ?

You are displeased, I am informed,
my having mentioned the precedence given
at the Assemblies of the Great : --
I deny that you do receive the pre-
=, which, appertaining only to me-
y rank, you, as a commoner, can
= permission to

never paid to you, and I expect to see
places where.—I find you
have offended you by saying that —
pederice is a matter of surpr
the Nobility, and of great disgust to the
people at large,—is it possible to be oth
wise?

What opinion must the public enter-
tain of your understanding, (to say nothing
more,) to see you accept and appear
gratified with an attention that
only have no pretensions to, but
every body, except yourself, sees is
in you from necessity, with dis-
trust

years since you were
of intimacy with the
A house of great ex-
~~at~~ you in Pall-Mall, com-
~~big~~ with Carlton-House,
house adjoining the Pavilion at
till then inhabited by Mr.
(house-steward to His Royal
was appropriated to your use,
establishment upon a scale of mag-
(infinitely beyond the limits of
income) at the charge of the
to the loss of
the Prince of Wales.

lie charge.—Have the public then,
opinion, no feelings? They have,
there's can be no other than feelings of
EXTREME DISGUST.

When the Prince of Wales was married
to the Princess, it was agreed that you
should retire from that *intimacy of friend*—
you had so long enjoyed, and your houses
in Pall-Mall and at Brighton were given up
accordingly.

However creditable, prospectively,
your character, that you did retire to the
Villa purchased for you at Castle-Bear, yet,
viewed in the native light, the ~~unconscious~~ —

Had you continued in the retirement expected of you, the world would probably never have disturbed you in the enjoyment of your great possessions, by any reflections upon the mode of their acquisition; but, not long after the Prince of Wales was married, His Royal Highness discontinued to live with the Princess, and returned to your society, in which he was eagerly received!!!

• SHAME! WHERE IS THY BLOWS?

Ch 11

reject

intima

dence at Brighton, and the Prince more
frequently in your society than ever !!!

When, Madam, your friends pretend
~~that~~ your feelings are hurt, let me ask you
(and them) if you think the people of
moral character in this country have no
feelings? I am sure they must relinquish
all claim to any, if they could view, with
indifference, such a departure from decen-
tly as this conduct exhibits in you, and not
set, with anxiety and fear for the future,
the probable result of such a dreadful in-
situation;—not less dangerous to the future
interest of this country than any that
the profligate court

A LETTER

ADDRESSED TO

MRS. FITZHERBERT,

UPON THE

INFLUENCE OF EXAMPLE, &c. &c. &c.

Hail! —— ! Thou shalt be ***** hereafter.

SHAKESPEARE,

GOD FORBID !!!

MADAM,

You are, I understand, much offended at the freedom with which I have mentioned your name in the appeal I have made to the public, and I am informed that I have hurt your feelings;—if, Madam, to hurt your feelings should lead to an alteration of your conduct, and induce you to consult the feelings of others, then should I have reason to rejoice that I have been instrumental in producing a most desirable effect.

Has (do you think) that Illustrious Personage, the Princess of Wales, no feelings?—What must be the sensations of mind in that truly-~~fortunate~~ Lady, to witness, for years together, the attention which is due to her paid to you, and to hear of your feelings?

AN

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TO

ABRAHAM GOLDSMID, Esq.

SIR,

Your integrity, your humanity and the distinguished rank you hold in the commercial world, induce me to wish for the honour of addressing to you the following pages, in vindication of the character of an Illustrious Personage, to whom I know you are personally and ardently attached; confident as I am that a cause, in which every loyal, upright and feeling mind must sympathise, cannot be better recommended than by having your name united with it.

I have the honour to remain,

Sir,

Your obedient Servant,

CLAUDIO.

)

August 1, 1806.

PREFACE.

IN the following pages I have, to the best of my ability, exhibited the pretensions of Mr. Jefferys to public credit.

Puff in the Critic well observes, that “ the number of “ people who read, that undergo the fatigue of judging “ for themselves are very few indeed,” and until I enquired, compared and reflected, I must confess I thought that the Prince of Wales had neglected a man who had suffered on his account.

The result of my investigation has enabled me to lay before the world a series of facts, and of unanswerable conclusions, which will speak for themselves

Mr. Jefferys has demonstrated that nothing is easier than deceiving the public. Poison is sooner swallowed than counteracted, nevertheless I will not be deterred from administering the Antidote.

An ANTIDOTE, &c. &c.

IT was said that when a Foreigner of distinction, who was making the tour of England, first heard of the threatened impeachment of Lord Viscount Melville, he conceived from an ignorance of the genius of the constitution, that the noble defendant was indebted to Mr. Whitbread in a large sum of money for ale and porter, and that not being able to pay it, the former was ordered to appear before the august tribunal in Westminster Hall, to be dealt with according to the laws. Mr. Jefferys' pamphlet against His Royal Highness the Prince of Wales, has now passed through seven editions, many

copies of which have reached the Continent, where from the circumstance of the English Constitution being imperfectly understood, the opinion excited must no doubt be a little extraordinary, and perhaps as whimsical as the idea before recorded of the noble stranger. What may not the good people of countries, in which all public expressions but those of fondness and adulation for the reigning sovereigns, and every branch of their august families, are proscribed, think of the privileges of British subjects, when a man, who has threaded the party-colored professions of silversmith and jeweller, auctioneer, money-lender, bill-negotiator, and house-broker, has assailed with no ordinary vehemence, the character and conduct of the second personage of the realm, the Hei Apparent of the British Empire, with impunity?

To rectify 'impression, that the liberty of the press may be so exercised without

peril, it may be necessary to state that the pamphlet of Mr. Jefferys, independently of its mistakements, abounds with ample matter to support a prosecution for libel of the highest and most serious description, that His Royal Highness has been pressed to order his Attorney-General to proceed against his accuser, but that with a moderation and magnanimity, awakened and justified only by considerations of mercy towards Mr. Jefferys' family, he has hitherto most peremptorily forbidden it.

If such a pamphlet as Mr. Jefferys has written be deemed an unpunishable publication, a printer's press would indeed become a pandemonium, and every printer's devil would cease to be a *nominal* demon.

A very small share of legal knowledge, indeed is necessary to enable any one who has perused Mr. Jefferys' pamphlet to determine whether he has libelled his royal employer